

# Exhibit A

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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JENNIFER ECKHART,	:	
	:	Case No. 1:20-cv-05593
Plaintiff,	:	(RA)(GWG)
	:	
v.	:	
	:	
FOX NEWS NETWORK, LLC and ED HENRY,	:	
in his individual and professional capacities,	:	
	:	
Defendants.	:	
-----X		

**FOX NEWS NETWORK, LLC’S RESPONSES AND OBJECTIONS TO PLAINTIFF  
JENNIFER ECKHART’S FIRST REQUEST FOR PRODUCTION OF  
DOCUMENTS**

Pursuant to Rules 26 and 34 of the Federal Rules of Civil Procedure and Local Rule 26.2 and 26.3 of the United States District Court for the Southern District of New York, Defendant Fox News Network, LLC (“Fox News”), by and through its attorneys, Proskauer Rose LLP, submits the following responses and objections to Plaintiff Jennifer Eckhart’s (“Plaintiff” OR “Eckhart”) First Set of Requests for Production of Documents (the “Document Requests”).

**GENERAL OBJECTIONS TO PLAINTIFFS’ DEFINITIONS AND INSTRUCTIONS**

Defendant Fox News’ Objections to Plaintiff’s Definitions and Instructions are set forth below. These Objections are expressly made part of and in addition to Fox News’ specific responses and objections to the Requests for Production.

1. The Requests have been served at an initial stage of the litigation, when discovery is just getting underway, document productions have not begun, and no depositions have been taken. Accordingly, all objections and responses herein are based only upon Fox News’ present knowledge of the matters covered by Plaintiff’s Requests and its best efforts to identify the documents responsive to those Requests. Fox News’ efforts are continuing, however, and further

discovery and independent investigation may supply additional facts, add meaning to facts, or establish entirely new factual conclusions and legal contentions, all of which may lead to substantial additions to, changes in, and variations from the responses set forth below. The following responses are given without prejudice to Fox News' right to produce evidence of subsequently discovered documents, and Fox News reserves the right to amend and/or supplement the objections and responses herein as may be necessary or appropriate in the future.

2. To the extent any of the Requests are premised on disputed allegations, Fox News' responses to the Requests shall not be deemed an admission of any such disputed allegations.

3. By responding to the Requests and agreeing to produce documents, Fox News does not concede that further documents exist and will only produce non-privileged, responsive documents to the extent they are identified and located after a good-faith reasonable search in accordance with the Court's Individual Rules and Procedures.

4. By responding to the Requests and providing documents in response to the Requests, Fox News does not concede the relevance, competence, materiality, propriety, and admissibility of such documents.

5. To the extent any documents produced in response to any Request are responsive to any other Request(s), Fox News will produce the responsive documents once. Additionally, to the extent Fox News references their responses to other Request(s), Fox News' objections to the other Request(s) are incorporated herein by reference.

6. Fox News objects to the Instructions and Definitions (and the Requests applying the Instructions and Definitions) to the extent they seek to impose obligations on Fox News that exceed, or are inconsistent with, those imposed by the Federal Rules of Civil Procedure (the

“Federal Rules”), the Local Rules of the United States District Court for the Southern District of New York (the “Local Rules”), and and/or the Court’s Individual Rules and Procedures for Civil Cases (the “Individual Rules” and collectively with the “Federal Rules” and the “Local Rules,” the “Rules”). Fox News will apply the definitions and instructions established in Rules 26 and 34 of the Federal Rules and Local Civil Rule 26.3, will respond to the Requests in accordance with those Rules, and will not provide documents insofar as the requested production exceeds the requirements of the Rules.

7. Fox News objects to Paragraph 2 of the Instructions and the Definitions (and the Requests applying the Instruction and Definitions) because they are overly broad, unduly burdensome, not proportional to the needs of the case, and seek information that is irrelevant, particularly in that Plaintiff seeks “all” documents and communications, which would include redundant information such as drafts, duplicates and nearly identical duplicates (such as cc’s and bcc’s), and other redundant information. Fox News also objects to producing documents from multiple sources and custodians when a central source can provide sufficient relevant information. Fox News further objects to these portions of the Instructions and the Definitions (and the Requests applying the Instructions and the Definitions) to the extent Plaintiff seeks electronically stored information (“ESI”) that is not reasonably accessible because of the undue burden and/or costs associated with collecting, retrieving, searching and providing the information and/or to the extent such information can be obtained from less burdensome sources, and to the extent Plaintiff’s Instructions or Definitions call for the production of documents in a manner that is more burdensome and/or cumulative or duplicative.

8. Fox News objects to the Instructions and Definitions (and the Requests applying the Instructions and Definitions) to the extent they seek information, documents, or

communications that are protected from disclosure by the attorney-client privilege, the attorney work-product doctrine, or any other applicable privilege or immunity. Fox News further objects to Paragraph 3 of the Instruction Section of the Requests (and the Requests applying the Instruction) concerning assertions of privilege as overly broad insofar as Plaintiff seeks to impose obligations on Fox News that exceeds, or are inconsistent with, those imposed by the Rules. Fox News will apply the definitions and instructions established in the Federal Rules and Local Rule 26.2 concerning assertions of privilege and will not provide documents or information insofar as the Plaintiff's Instructions and Definitions or Requests exceed the requirements of those Rules. Where information is withheld under a claim of privilege, Fox News will so indicate on a privilege log, except as set forth herein. Fox News objects to logging more than one identical copy of such a document on the grounds that it is unduly burdensome, cumulative, and duplicative. Fox News will not include on its privilege log documents and communications concerning Plaintiff between Fox News and internal or external counsel after Plaintiff first asserted a claim.

9. Fox News further objects to Paragraph 4 of the Instructions of the Requests (and the Requests applying the Instruction) concerning a document or information that has "been destroyed or is no longer in Defendant's possession custody or control" insofar as Plaintiff seeks to impose obligations on Fox News that exceeds, or are inconsistent with, those imposed by the Rules.

10. The inadvertent or mistaken production of documents or information subject to the protections of the attorney-client privilege, attorney work-product doctrine, or other privilege shall not constitute a general, inadvertent, implicit, subject matter, separate, independent, or other waiver of such privilege or protection, and does not put in issue or constitute the affirmative use

of the advice of counsel or of any privileged communications. All such inadvertently produced documents shall be returned to Fox News' counsel along with any copies thereof subject to the terms of any Confidentiality Agreement and Protective Order.

11. Fox News objects to the Instructions and Definitions (and the Requests applying the Instructions and Definitions) to the extent they seek discovery of Fox News' confidential, trade secret, proprietary, security, financial, or commercially sensitive information, and/or the disclosure of documents and information protected by statutory, constitutional, and/or common law privacy rights, including any right to privacy under any applicable state or federal law, and information that Fox News is obligated to maintain as confidential (collectively referred to as "confidential business information"), as well as confidential or proprietary information concerning individuals or entities who are not parties to this action and/or not relevant to the claims and/or defenses in this case. Fox News will only produce confidential business information insofar as indicated in its responses below, and then such production shall only be after the Parties have agreed to, and the Court has entered, a Stipulation and Order of Confidentiality. Such production shall only be in accordance with the Stipulated Confidentiality Agreement and Protective Order.

12. Fox News objects to the Instructions and Definitions (and the Requests applying the Definitions and Instructions) to the extent they seek information that is not within Fox News' possession, custody or control. Fox News objects to the Instructions and Definitions (and the Requests applying the Instructions and Definitions) to the extent they would require Fox News to create any document not in existence at the time of Fox News' responses and/or not maintained in the normal course of business.

13. As to those Requests that seek ESI, and to which Fox News has indicated that they are willing to search for responsive, non-privileged documents, Fox News' response is subject to their objections contained therein as well as to an agreement between the parties of an appropriate electronic search protocol including, without limitation, an agreement as to the appropriate custodians, time frames, and search terms.

### **SPECIFIC RESPONSES AND OBJECTIONS**

**REQUEST NO. 1:** Produce all documents, emails and/or communications related to, supporting or contradicting the allegations in the Complaint.

#### **RESPONSE TO REQUEST NO. 1:**

Fox News objects to this Request on the ground that this Request is so vague and overbroad as to prevent identification of the documents requested, specifically in that it seeks "all documents, emails and/or communications," without any temporal limitation, limitation to specific claims or defenses in this matter, or limitation for relevant ESI, and is therefore not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefits. Fox News further objects to this Request on the grounds that it is ambiguous as to the term "related to." Fox News objects to this Request to the extent it seeks documents that are not within Fox News' possession, custody or control. Additionally, Fox News objects to this Request to the extent it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, and/or any other applicable privilege or immunity. Fox News states that it is not producing documents within the scope of the objections.

**REQUEST NO. 2:** Produce all written statements Defendant has obtained concerning the allegations made by the Plaintiff in this action.

#### **RESPONSE TO REQUEST NO. 2:**

Fox News objects to this Request on the ground that this Request is so vague and overbroad as to prevent identification of the documents requested, specifically in that it seeks “all written statements” without any temporal limitation, limitation to specific claims or defenses in this matter, or limitation for relevant ESI, and is therefore not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefits. Fox News further objects to this Request on the grounds that it is vague and ambiguous as to the terms “written statements,” “obtained,” and “in this action.” Fox News objects to this Request to the extent it seeks documents that are not within Fox News’ possession, custody or control. Additionally, Fox News objects to this Request to the extent it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, and/or any other applicable privilege or immunity. Subject to and without waiving the foregoing objections, Fox News will produce the “Declaration of Kevin Lord in Support of Defendants’ Rule 11 Motion for Sanctions” dated September 8, 2020.

**REQUEST NO. 3:** Produce all documents, communications and/or ESI concerning any admission, denial, allegation and/or affirmative defense asserted in Fox’s Motion to Dismiss.

**RESPONSE TO REQUEST NO. 3:**

Fox News objects to this Request on the ground that this Request is so vague and overbroad as to prevent identification of the documents requested, specifically in that it seeks “all documents, emails and/or ESI,” concerning Fox News Motion to Dismiss without any temporal limitation, limitation to specific claims or defenses in this matter, or limitation for relevant ESI, and is therefore not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefits. Fox News objects to this Request to the extent it seeks documents that are not within Fox News’ possession, custody or control. Additionally, Fox News objects to this Request to the extent it seeks information protected from



disclosure by the attorney-client privilege, the work product doctrine, and/or any other applicable privilege or immunity. Fox News states that it is not producing documents within the scope of the objections except as noted in Response to Request No. 3.

**REQUEST NO. 4:** Produce all documents, communications and/or ESI upon which Fox relied in drafting its Motion to Dismiss.

**RESPONSE TO REQUEST NO. 4:**

Fox News objects to this Request on the ground that this Request is so vague and overbroad as to prevent identification of the documents requested, specifically in that it seeks “all documents, emails and/or ESI,” without any temporal limitation, limitation to specific claims or defenses in this matter, or limitation for relevant ESI, and is therefore not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefits. Fox News further objects to this Request on the grounds that it is vague and ambiguous as to the term “relied,” particularly in the context of drafting a motion to dismiss reliant on the allegations in the Complaint. Fox News further objects to this Request to the extent it seeks documents that are not within Fox News’ possession, custody or control. Additionally, Fox News objects to this Request to the extent it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, and/or any other applicable privilege or immunity. Fox News states that it is not producing documents within the scope of these objections.

**REQUEST NO. 5:** Produce all documents, communications and/or ESI upon which Fox relied in drafting its Answer.

**RESPONSE TO REQUEST NO. 5:**

Fox News objects to this Request on the ground that this Request is so vague and overbroad as to prevent identification of the documents requested, specifically in that it seeks

“all documents, emails and/or ESI,” without any temporal limitation, limitation to specific claims or defenses in this matter, or limitation for relevant ESI, and is therefore not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefits. Fox News further objects to this Request on the grounds that it is vague and ambiguous as to the term “relied,” particularly in the context of drafting an Answer reliant on the allegations in the Complaint. Additionally, Fox News objects to this Request to the extent it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, and/or any other applicable privilege or immunity. Fox News states that it is not producing documents within the scope of the objections herein except in response to other of Plaintiff’s requests, as provided in Fox News’ Responses to Plaintiff’s First Set of Requests for Production of Documents.

**REQUEST NO. 6:** Produce all documents, communications and/or ESI reflecting any statements by any Fox employee concerning the claims, allegations or defenses in this action.

**RESPONSE TO REQUEST NO. 6:**

Fox News objects to this Request on the ground that this Request is so vague and overbroad as to prevent identification of the documents requested, specifically in that it seeks “all documents, communications and/or ESI” without any temporal limitation, limitation to specific claims or defenses in this matter, limitation to the parties in this action, or limitation for relevant ESI, and is therefore not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefits. Fox News further objects to this Request on the grounds that it is vague and ambiguous as to the terms “statements,” and “in this action.” Fox News also objects to this Request to the extent it seeks documents that are not within Fox News’ possession, custody or control. Fox News states that it is not producing documents within the scope of the objections except as noted in Response to Request No. 3.

**REQUEST NO. 7:** Produce all documents, communications and/or ESI that Defendant intends to use as an exhibit at trial.

**RESPONSE TO REQUEST NO. 7:**

Fox News objects to this Request on the ground that this Request is so vague and overbroad as to prevent identification of the documents requested as the request is premature, and the Request is therefore not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefits. Fox News further objects to this Request on the grounds that it is vague and ambiguous as to the term “intends.” Fox News also objects to this Request to the extent it seeks documents that are not within Fox News’ possession, custody or control. Additionally, Fox News objects to this Request to the extent it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, and/or any other applicable privilege or immunity. Fox News will not produce any documents in response to this Request at this time but will disclose trial exhibits and witnesses at the appropriate time in accordance with dictates of any pretrial or scheduling Order issued by the Court.

**REQUEST NO. 8:** Produce all documents, communications and/or ESI that Defendant received in response to any subpoena related to allegations in the Complaint.

**RESPONSE TO REQUEST NO. 8:**

Fox News objects to this Request on the ground that this Request is so vague and overbroad as to prevent identification of the documents requested as the request is premature and the Request is therefore not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefits. Fox News further objects to this Request on the grounds that it is vague and ambiguous as to the term “any subpoena related to allegations in the Complaint.” Subject to and without waiving the foregoing objections, Fox News states

that that it has neither issued a subpoena nor received any documents in response to a subpoena in this matter at this time.

**REQUEST NO. 9:** Produce all documents, communications and/or ESI concerning any employee policies, manuals, handbooks or procedures applicable to the terms and conditions of Plaintiff's employment.

**RESPONSE TO REQUEST NO. 9:**

Fox News objects to this Request on the grounds that it is vague and ambiguous as to what is meant by "documents, communications and/or ESI concerning" and "procedures." Fox News also objects to this Request as overbroad and not proportional to the needs of the case based on its request for "all documents, communications and/or ESI" without any temporal limitation or limitation for relevant ESI, and the burden or expense of the proposed discovery therefore outweighs the likely benefits. Subject to and without waiving the foregoing objections, Fox News will produce Fox News' Handbook and other relevant written policies, including but not limited to policies pertaining to confidentiality, use of company resources and/or the duty to not misrepresent an employee's position at Fox News.

**REQUEST NO. 10:** Produce all policies and/or procedures regarding equal employment, unlawful discrimination, harassment or retaliation that were in use and/or in effect at any time during Plaintiff's employment, including, but not limited to, manuals, handbooks, procedures, notices, memoranda, directives, plans, handouts and/or pamphlets.

**RESPONSE TO REQUEST NO. 10:**

Fox News objects to this Request on the grounds that it is vague and ambiguous as to what is meant by "procedures," "regarding," "notices," memoranda, directives, plans, handouts and/or pamphlets." Subject to and without waiving the foregoing objections, Fox News will produce Fox News' Handbook and other relevant written policies, including but not limited to Fox News' anti-harassment, non-discrimination and anti-retaliation policies.

**REQUEST NO. 11:** Produce all documents, communications and/or ESI related to any anti-

discrimination, harassment or retaliation trainings or meetings attended by Henry, including presentation materials, sign-in sheets and/or acknowledgments.

**RESPONSE TO REQUEST NO. 11:**

Fox News objects to this Request on the grounds that it is vague and ambiguous as to what is meant by “related to.” Fox News also objects to this Request as overbroad and not proportional to the needs of the case based on its request for “all documents, communications and/or ESI” without any temporal limitation or limitation for relevant ESI, and the burden or expense of the proposed discovery therefore outweighs the likely benefits. Subject to and without waiving the foregoing objections, Fox News will produce documents concerning Ed Henry’s attendance of anti-harassment and/or non-discrimination and/or anti-retaliation trainings and acknowledgement of receipt of relevant policies.

**REQUEST NO. 12:** Produce all documents, communications and/or ESI concerning any formal or informal reports, complaints, charges, allegations or lawsuits concerning discrimination, harassment or mistreatment on the basis of sex and/or gender made by Defendant’s employees in its New York offices, whether internal or external.

**RESPONSE TO REQUEST NO. 12:**

Fox News objects to this Request on the grounds that it seeks irrelevant information based on its request for “any” other “reports, complaints, charges, allegations or lawsuits” unrelated to Plaintiff or Plaintiff’s claims or the defenses in this action. Fox News objects to this Request on the grounds that it is vague and ambiguous as to what is meant by “informal reports,” “allegations,” “concerning,” “mistreatment,” “New York offices,” and “internal or external.” Fox News further objects to this Request on the grounds that it is overbroad based on its request for “all documents, communications and/or ESI,” without any temporal limitation, or limitations for relevant ESI and the request is therefore not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefits. Fox News also objects to

this Request to the extent it seeks documents that are not within Fox News' possession, custody or control. Additionally, Fox News objects to this Request to the extent it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, and/or any other applicable privilege or immunity. Fox News further objects to this Request on the grounds it seeks confidential, sensitive and personal information disclosure of which would invade the privacy rights of employees or former employees at Fox News who are not parties to this action.

Fox News states that it is not producing documents within the scope of the objections.

**REQUEST NO. 13:** Produce all documents, communications and/or ESI concerning any formal or informal reports, complaints, charges, allegations or lawsuits concerning discrimination, harassment or mistreatment on the basis of sex and/or gender made by Defendant's employees in its Washington, D.C. offices, whether internal or external.

**RESPONSE TO REQUEST NO. 13:**

Fox News objects to this Request on the grounds that it seeks irrelevant information based on its request for "any" other "reports, complaints, charges, allegations or lawsuits" unrelated to Plaintiff or Plaintiff's claims or the defenses in this action. Fox News objects to this Request on the grounds that it is vague and ambiguous as to what is meant by "informal reports," "charges," "allegations," "concerning," "mistreatment," "Washington, D.C. offices," and "internal or external." Fox News further objects to this Request on the grounds that it is overbroad based on its request for "all documents, communications and/or ESI," without any temporal limitation or limitations for relevant ESI and the request is therefore not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefits. Fox News also objects to this Request to the extent it seeks documents that are not within Fox News' possession, custody or control. Additionally, Fox News objects to this Request to the extent it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, and/or any other applicable privilege or immunity. Fox News further objects to this

Request on the grounds it seeks confidential, sensitive and personal information disclosure of which would invade the privacy rights of employees or former employees at Fox News who are not parties to this action. Fox News states that it is not producing documents within the scope of the objections.

**REQUEST NO. 14:** Produce all documents, communications and/or ESI concerning any formal or informal reports, complaints, charges, allegations or lawsuits concerning retaliation made by Defendant's employees in its New York offices, whether internal or external.

**RESPONSE TO REQUEST NO. 14:**

Fox News objects to this Request on the grounds that it seeks irrelevant information based on its request for "any" other "reports, complaints, charges, allegations or lawsuits" unrelated to Plaintiff or Plaintiff's claims or the defenses in this action. Fox News objects to this Request on the grounds that it is vague and ambiguous as to what is meant by "informal reports," charges," "allegations," "New York offices," and "internal or external." Fox News further objects to this Request on the grounds that it is overbroad based on its request for "all documents, communications and/or ESI" without any temporal limitation or limitations for relevant ESI, and the request is therefore not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefits. Fox News also objects to this Request to the extent it seeks documents that are not within Fox News' possession, custody or control. Additionally, Fox News objects to this Request to the extent it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, and/or any other applicable privilege or immunity. Defendant further objects to this Request on the grounds it seeks confidential, sensitive and personal information disclosure of which would invade the privacy rights of employees or former employees at Fox News who are not parties to this action. Fox News states that it is not producing documents within the scope of the objections.

**REQUEST NO. 15:** Produce all documents, communications and/or ESI concerning any formal or informal reports, complaints, charges, allegations or lawsuits concerning retaliation made by Defendant's employees in its Washington, D.C. offices, whether internal or external.

**RESPONSE TO REQUEST NO. 15:**

Fox News objects to this Request on the grounds that it seeks irrelevant information based on its request for "any" other "reports, complaints, charges, allegations or lawsuits" unrelated to Plaintiff or Plaintiff's claims or the defenses in this action. Fox News objects to this Request on the grounds that it is vague and ambiguous as to what is meant by "informal reports," "charges," "allegations," "Washington, D.C. offices," and "internal or external." Fox News further objects to this Request on the grounds that it is overbroad based on its request for "all documents, communications and/or ESI" without any temporal limitation or limitations for relevant ESI, and the request is therefore not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefits. Fox News also objects to this Request to the extent it seeks documents that are not within Fox News' possession, custody or control. Additionally, Fox News objects to this Request to the extent it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, and/or any other applicable privilege or immunity. Defendant further objects to this Request on the grounds it seeks confidential, sensitive and personal information disclosure of which would invade the privacy rights of employees or former employees at Fox News who are not parties to this action. Fox News states that it is not producing documents within the scope of the objections.

**REQUEST NO. 16:** Produce all documents, communications and/or ESI concerning any formal or informal reports, complaints, charges, allegations or lawsuits concerning sexual batteries, abuse and/or assaults made by Defendant's employees in its New York offices, whether internal or external.

**RESPONSE TO REQUEST NO. 16:**

Fox News objects to this Request on the grounds that it seeks irrelevant information



based on its request for “any” other “reports, complaints, charges, allegations or lawsuits” unrelated to Plaintiff or Plaintiff’s claims or the defenses in this action. Fox News objects to this Request on the grounds that it is vague and ambiguous as to what is meant by “informal reports,” “charges,” “allegations,” “New York offices,” and “internal or external.” Fox News further objects to this Request on grounds to the extent it seeks to use legal terms of art (i.e., “sexual batteries, abuse and/or assaults”) that are vague and undefined. Fox News further objects to this Request on the grounds that it is overbroad based on its request for “all documents, communications and/or ESI” without any temporal limitation or limitations for relevant ESI, and the request is therefore not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefits. Fox News also objects to this Request to the extent it seeks documents that are not within Fox News’ possession, custody or control. Additionally, Fox News objects to this Request to the extent it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, and/or any other applicable privilege or immunity. Defendant further objects to this Request on the grounds it seeks confidential, sensitive and personal information disclosure of which would invade the privacy rights of employees or former employees at Fox News who are not parties to this action. Fox News states that it is not producing documents within the scope of the objections.

**REQUEST NO. 17:** Produce all documents, communications and/or ESI concerning any formal or informal reports, complaints, charges, allegations or lawsuits concerning lawsuits concerning sexual batteries, abuse and/or assaults made by Defendant’s employees in its Washington, D.C. offices, whether internal or external.

**RESPONSE TO REQUEST NO. 17:**

Fox News objects to this Request on the grounds that it seeks irrelevant information based on its request for “any” other “reports, complaints, charges, allegations or lawsuits” unrelated to Plaintiff or Plaintiff’s claims or the defenses in this action. Fox News objects to this

Request on the grounds that it is vague and ambiguous as to what is meant by “informal reports,” “charges,” “allegations,” “Washington, D.C. offices,” and “internal or external.” Fox News further objects to this Request on grounds to the extent it seeks to use legal terms of art (i.e., “sexual batteries, abuse and/or assaults”) that are vague and undefined. Fox News further objects to this Request on the grounds that it is overbroad based on its request for “all documents, communications and/or ESI” without any temporal limitation or limitations for relevant ESI, and the request is therefore not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefits. Fox News also objects to this Request to the extent it seeks documents that are not within Fox News’ possession, custody or control. Additionally, Fox News objects to this Request to the extent it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, and/or any other applicable privilege or immunity. Defendant further objects to this Request on the grounds it seeks confidential, sensitive and personal information disclosure of which would invade the privacy rights of employees or former employees at Fox News who are not parties to this action. Fox News states that it is not producing documents within the scope of the objections.

**REQUEST NO. 18:** Produce all documents, communications and/or ESI concerning any insurance plan or policy applicable and/or potentially applicable to any of the claims alleged in the Complaint, including, but not limited to, full copies of any such policies.

**RESPONSE TO REQUEST NO. 18:**

Fox News object to this Request to the extent it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, and/or any other applicable privilege or immunity. Fox News further objects to this Request on grounds it is overbroad and beyond the scope of permissible discovery, as it seeks “all documents, communications and/or ESI” that is even “potentially applicable” and includes no temporal limitation nor limitation to

the subject matter of this litigation; therefore, it is not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefits. Fox News objects to this Request on the grounds that it is vague and ambiguous as to what is meant by “full copies[.]” Fox News further object to this Request to the extent it calls for the production of documents that are not within Fox News’ possession, custody or control. Subject to and without waiving the foregoing objections, Fox News states no such insurance policies exist.

**REQUEST NO. 19:** Produce all documents, communications and/or ESI between or among any Board Member shareholder, officer, director, manager, employee and/or agent of Fox concerning the filing of this lawsuit and/or allegations contained in the Complaint, including, but not limited to, any emails sent between or among Fox’s Board Members, shareholders, officers, directors, managers, employees and/or agents, as well as any notes taken concerning the filing of this lawsuit and/or allegations contained in the Complaint.

**RESPONSE TO REQUEST NO. 19:**

Fox News objects to this Request on the ground that this Request is so vague and overbroad as to prevent identification of the documents requested, specifically in that it seeks “all documents, communications and/or ESI” without any temporal limitation or limitation for relevant ESI, and is not proportional to the needs of the case; therefore, the burden or expense of the proposed discovery outweighs the likely benefits. Fox News further objects to this Request on the grounds that it is vague and ambiguous as to the terms “between or among,” “agent of Fox” and “in this action.” Fox News objects to this Request to the extent it seeks documents that are not within Fox News’ possession, custody or control. Additionally, Fox News objects to this Request to the extent it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, and/or any other applicable privilege or immunity. Fox News states that it is not producing documents within the scope of the objections.

**REQUEST NO. 20:** Produce Plaintiff’s complete personnel file, including, but not limited to, employment applications, resumes, acknowledgements of receipt of employment handbooks, compensation and/or benefits information.

**RESPONSE TO REQUEST NO. 20:**

Fox News objects to this Request as vague and ambiguous as to the meaning of the term “complete.” Subject to and without waiving the foregoing objections, Fox News will produce the personnel file it maintained for Plaintiff.

**REQUEST NO. 21:** Produce all organizational charts concerning Ms. Eckhart and/or any role that she held at any time during her employment.

**RESPONSE TO REQUEST NO. 21:**

Fox News objects to this Request as vague and ambiguous as to the meaning of the term “concerning” or “any role that she held.” Fox News objects to this Request for “all” organizational charts as overbroad and not proportional to the needs of the case; therefore, the burden or expense of the proposed discovery outweighs the likely benefits. Subject to and without waiving the foregoing objections, Fox News will produce relevant organizational chart or charts concerning Ms. Eckhart’s role provided such chart or charts exist.

**REQUEST NO. 22:** Produce all documents, communications and/or ESI concerning the hiring of Ms. Eckhart to the Administrative Assistant role she began on January 2, 2013, including, but not limited to, any postings, advertisements and/or job listings for the Administrative Assistant position.

**RESPONSE TO REQUEST NO. 22:**

Fox News objects to this Request as vague and ambiguous as it seeks irrelevant information and is unclear what is meant by “posting.” Fox News also objects to this Request as overbroad, specifically in that it seeks “all documents, communications and/or ESI,” and therefore not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefit. Subject to and without waiving the foregoing objections, Fox News will produce documents related to Plaintiff’s hire as an administrative assistant on January 2, 2013 and will conduct a reasonable electronic search for relevant, non-

privileged electronic documents upon an agreement between the parties of an appropriate electronic search protocol including, without limitation, an agreement as to the appropriate custodians, time frames, and search terms.

**REQUEST NO. 23:** Produce all documents, communications and/or ESI concerning the job description and/or terms or conditions of the Administrative Assistant role Ms. Eckhart began on January 2, 2013.

**RESPONSE TO REQUEST NO. 23:**

Fox News objects to this Request as vague and ambiguous as it seeks irrelevant information and is unclear what is meant by “terms or conditions.” Fox News also objects to this Request as overbroad, specifically in that it seeks “all documents, communications and/or ESI,” and therefore not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefit. Subject to and without waiving the foregoing objections, Fox News will produce the job description for Plaintiff’s position as an administrative assistant, to the extent such document exists, and will conduct a reasonable electronic search for relevant, non-privileged electronic documents upon an agreement between the parties of an appropriate electronic search protocol including, without limitation, an agreement as to the appropriate custodians, time frames, and search terms.

**REQUEST NO. 24:** Produce all documents, communications and/or ESI sent, received or created by Bill Hemmer concerning Ms. Eckhart’s hiring in 2013.

**RESPONSE TO REQUEST NO. 24:**

Fox News objects to this Request as overbroad and seeking irrelevant information, specifically in that it seeks “all documents, communications and/or ESI” related to Bill Hemmer from 2013, an individual who has no relevance to Plaintiff’s claims or the defenses in this matter, and therefore is not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefit. Fox News states that it is not producing

documents within the scope of the objections.

**REQUEST NO. 25:** Produce all documents, communications and/or ESI sent, received or created by Liz Claman concerning the terms or conditions of Ms. Eckhart's employment.

**RESPONSE TO REQUEST NO. 25:**

Fox News objects to this Request as vague and ambiguous as it seeks irrelevant information and is unclear what is meant by "created" and "terms or conditions." Fox News objects to this Request on the ground that this Request is overbroad and seeks irrelevant information, specifically in that it seeks "all documents, communications and/or ESI" without any temporal limitation or limitation for relevant ESI, and is not proportional to the needs of the case; therefore, the burden or expense of the proposed discovery outweighs the likely benefits. Subject to and without waiving the foregoing objections, Fox News refers Plaintiff to its response to Requests Numbers 22 and 23 and will produce documents related to Plaintiff's hire as an administrative assistant on January 2, 2013 and job description for the administrative assistant position, to the extent such document exists.

**REQUEST NO. 26:** Produce all documents, communications and/or ESI sent, received or created by Ms. Claman concerning Ms. Eckhart's work performance.

**RESPONSE TO REQUEST NO. 26:**

Fox News objects to this Request as vague and ambiguous as it seeks irrelevant information and is unclear what is meant by "created" or "work performance." Fox News objects to this Request on the ground that this Request is overbroad specifically in that it seeks "all documents, communications and/or ESI" without any temporal limitation or limitation for relevant ESI, and is not proportional to the needs of the case; therefore, the burden or expense of the proposed discovery outweighs the likely benefits. Subject to and without waiving the foregoing objections, Fox News refers Plaintiff to Response to Request No. 20 and Fox News

will conduct a reasonable electronic search for relevant, non-privileged electronic documents in which Liz Claman assesses or reviews Ms. Eckhart's work performance upon an agreement between the parties of an appropriate electronic search protocol including, without limitation, an agreement as to the appropriate custodians, time frames, and search terms.

**REQUEST NO. 27:** Produce all documents, communications and/or ESI sent, received or created concerning Ms. Eckhart's promotion to Production Assistant in June 2013, including, but not limited to, the reasons for her promotion and/or the identity of the individuals who participated in the promotion decision.

**RESPONSE TO REQUEST NO. 27:**

Fox News objects to this Request as vague and ambiguous as it seeks irrelevant information and is unclear what is meant by "participated[.]" Fox News also objects to this Request as overbroad, specifically in that it seeks "all documents, communications and/or ESI," and therefore is not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefit. Subject to and without waiving the foregoing objections, Fox News will conduct a reasonable search and produce relevant documents related to Plaintiff's promotion to production assistant in June 2013 and will conduct a reasonable electronic search for relevant, non-privileged electronic documents upon an agreement between the parties of an appropriate electronic search protocol including, without limitation, an agreement as to the appropriate custodians, time frames, and search terms.

**REQUEST NO. 28:** Produce all documents, communications and/or ESI concerning the job description and/or terms or conditions of the Production Assistant role Ms. Eckhart began in June 2013.

**RESPONSE TO REQUEST NO. 28:**

Fox News objects to this Request as vague and ambiguous as it seeks irrelevant information and is unclear what is meant by "terms or conditions." Fox News also objects to this Request as overbroad, specifically in that it seeks "all documents, communications and/or ESI,"

and therefore is not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefit. Subject to and without waiving the foregoing objections, Fox News will produce the job description for Plaintiff's position as a production assistant, to the extent such document exists, and will conduct a reasonable electronic search for relevant, non-privileged electronic documents upon an agreement between the parties of an appropriate electronic search protocol including, without limitation, an agreement as to the appropriate custodians, time frames, and search terms.

**REQUEST NO. 29:** Produce all documents, communications and/or ESI sent, received or created concerning Ms. Eckhart's promotion to Booker in 2015/2016, including, but not limited to, the reasons for her promotion and/or the identity of the individuals who participated in the promotion decision.

**RESPONSE TO REQUEST NO. 29:**

Fox News objects to this Request as vague and ambiguous as it seeks irrelevant information and is unclear what is meant by "participated[.]" Fox News also objects to this Request as overbroad, specifically in that it seeks "all documents, communications and/or ESI," and therefore is not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefit. Subject to and without waiving the foregoing objections, Fox News will conduct a reasonable search and produce relevant documents related to Plaintiff's promotion to Booker/Researcher in or about December 2015 and will conduct a reasonable electronic search for relevant, non-privileged electronic documents upon an agreement between the parties of an appropriate electronic search protocol including, without limitation, an agreement as to the appropriate custodians, time frames, and search terms.

**REQUEST NO. 30:** Produce all documents, communications and/or ESI concerning the job description and/or terms or conditions of the Booker role Ms. Eckhart began in 2015/2016.

**RESPONSE TO REQUEST NO. 30:**



Fox News objects to this Request as vague and ambiguous as it seeks irrelevant information and is unclear what is meant by “terms or conditions.” Fox News also objects to this Request as overbroad, specifically in that it seeks “all documents, communications and/or ESI,” and therefore is not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefit. Subject to and without waiving the foregoing objections, Fox News will produce documents the job description for Plaintiff’s position as a Booker/Researcher, to the extent such document exists, and will conduct a reasonable electronic search for relevant, non-privileged electronic documents upon an agreement between the parties of an appropriate electronic search protocol including, without limitation, an agreement as to the appropriate custodians, time frames, and search terms.

**REQUEST NO. 31:** Produce all documents, communications and/or ESI sent, received or created concerning Ms. Eckhart’s promotion to Associate Producer, including, but not limited to, the reasons for her promotion and/or the identity of the individuals who participated in the promotion decision.

**RESPONSE TO REQUEST NO. 31:**

Fox News objects to this Request as vague and ambiguous as it seeks irrelevant information and is unclear what is meant by “participated[.]” Fox News also objects to this Request as overbroad, specifically in that it seeks “all documents, communications and/or ESI” and lacks any temporal limitation or limitation for relevant ESI, and therefore is not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefit. Subject to and without waiving the foregoing objections, Fox News will conduct a reasonable search and produce relevant documents related to Plaintiff’s promotion to Associate Producer in or about August 2017 and will conduct a reasonable electronic search for relevant, non-privileged electronic documents upon an agreement between the parties of an appropriate electronic search protocol including, without limitation, an agreement as to the appropriate

custodians, time frames, and search terms.

**REQUEST NO. 32:** Produce all documents, communications and/or ESI concerning the job description and/or terms or conditions of the Associate Producer role Ms. Eckhart began in 2015/2016.

**RESPONSE TO REQUEST NO. 32:**

Fox News objects to this Request as vague and ambiguous as it seeks irrelevant information and is unclear what is meant by “terms or conditions.” Fox News also objects to this Request as overbroad, specifically in that it seeks “all documents, communications and/or ESI” and that it seeks irrelevant information as Plaintiff was promoted to Associate Producer in or about August 2018, and therefore is not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefit. Subject to and without waiving the foregoing objections, Fox News will produce the job description for Plaintiff’s position as an Associate Producer, to the extent such document exists, and will conduct a reasonable electronic search for relevant, non-privileged electronic documents upon an agreement between the parties of an appropriate electronic search protocol including, without limitation, an agreement as to the appropriate custodians, time frames, and search terms.

**REQUEST NO. 33:** Produce all documents, communications and/or ESI concerning any reporting and/or production work that Ms. Eckhart performed during her employment with Fox.

**RESPONSE TO REQUEST NO. 33:**

Fox News objects to this Request on the ground that this Request is so vague and overbroad as to prevent identification of the documents requested, specifically in that it seeks “all documents, communications and/or ESI” without any temporal limitation or limitation for relevant ESI, and seeks information related to Plaintiff’s “reporting and/or production” which is unrelated to any of Plaintiff’s claims in this matter, and therefore is not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefit.

Fox News objects to this Request as vague and ambiguous as it seeks irrelevant information and is unclear what is meant by “reporting and/or production” and “performed[.]” Fox News states that it is not producing documents within the scope of the objections.

**REQUEST NO. 34:** Produce all documents, communications and/or ESI concerning any on-air appearances that Ms. Eckhart made during her employment with Fox.

**RESPONSE TO REQUEST NO. 34:**

Fox News objects to this Request as vague and ambiguous as it seeks irrelevant information and is unclear what is meant by “on-air appearances.” Fox News also objects to this Request as overbroad and seeks irrelevant information, specifically in that it seeks “all documents, communications and/or ESI” without any temporal limitation or limitation for relevant ESI, and seeks information related to Plaintiff’s “on-air appearances” which is unrelated to any of Plaintiff’s claims in this matter, and therefore is not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefit. Fox News states that it is not producing documents within the scope of the objections.

**REQUEST NO. 35:** Produce all documents, communications and/or ESI sent, received or created by Kevin Burke concerning Ms. Eckhart’s work performance.

**RESPONSE TO REQUEST NO. 35:**

Fox News objects to this Request as vague and ambiguous as it seeks irrelevant information and is unclear what is meant by “created”. Fox News also objects to this Request as overbroad and seeks irrelevant information, specifically in that it seeks “all documents, communications and/or ESI” without any temporal limitation or limitation for relevant ESI, and therefore is not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefit. Subject to and without waiving the foregoing objections, Fox News refers Plaintiff to Response to Request No. 20 and Fox News will conduct a

reasonable electronic search for relevant, non-privileged electronic documents where Kevin Burke assesses or reviews Ms. Eckhart's work performance upon an agreement between the parties of an appropriate electronic search protocol including, without limitation, an agreement as to the appropriate custodians, time frames, and search terms.

**REQUEST NO. 36:** Produce all documents, communications and/or ESI sent, received or created by Thomas Bowman concerning Ms. Eckhart's work performance.

**RESPONSE TO REQUEST NO. 36:**

Fox News objects to this Request as vague and ambiguous as it seeks irrelevant information and is unclear what is meant by "created". Fox News also objects to this Request as overbroad and seeks irrelevant information, specifically in that it seeks "all documents, communications and/or ESI" without any temporal limitation or limitation for relevant ESI, and therefore is not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefit. Subject to and without waiving the foregoing objections, Fox News refers Plaintiff to Response to Request No. 20 and Fox News will conduct a reasonable electronic search for relevant, non-privileged electronic documents where Tom Bowman assesses or reviews Ms. Eckhart's work performance upon an agreement between the parties of an appropriate electronic search protocol including, without limitation, an agreement as to the appropriate custodians, time frames, and search terms.

**REQUEST NO. 37:** Produce all documents, communications and/or ESI sent, received or created by Brad Hirst concerning Ms. Eckhart's work performance.

**RESPONSE TO REQUEST NO. 37:**

Fox News objects to this Request as vague and ambiguous as it seeks irrelevant information and is unclear what is meant by "created." Fox News also objects to this Request as overbroad and seeks irrelevant information, specifically in that it seeks "all documents,

communications and/or ESI” without any temporal limitation or limitation for relevant ESI, and therefore is not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefit. Subject to and without waiving the foregoing objections, Fox News refers Plaintiff to Response to Request No. 20, and Fox News will produce relevant documents where Brad Hirst assesses reviews Plaintiff’s work performance, including Plaintiff’s performance reviews, and will conduct a reasonable electronic search for such relevant, non-privileged electronic documents upon an agreement between the parties of an appropriate electronic search protocol including, without limitation, an agreement as to the appropriate custodians, time frames, and search terms.

**REQUEST NO. 38:** Produce all documents, communications and/or ESI sent, received or created by Gary Schreier concerning Ms. Eckhart’s work performance.

**RESPONSE TO REQUEST NO. 38:**

Fox News objects to this Request as vague and ambiguous as it seeks irrelevant information and is unclear what is meant by “created.” Fox News also objects to this Request as overbroad and seeks irrelevant information, specifically in that it seeks “all documents, communications and/or ESI” without any temporal limitation or limitation for relevant ESI, and therefore is not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefit. Subject to and without waiving the foregoing objections, Fox News refers Plaintiff to Response to Request No. 20 and Fox News will conduct a reasonable electronic search for relevant, non-privileged electronic documents where Gary Schreier assesses or reviews Ms. Eckhart’s work performance upon an agreement between the parties of an appropriate electronic search protocol including, without limitation, an agreement as to the appropriate custodians, time frames, and search terms.

**REQUEST NO. 39:** Produce all documents, communications and/or ESI concerning Henry’s

employee expenses from all times during his employment, including, but not limited to, any expense reports that Henry submitted during his employment and/or any bills or statements from any corporate credit cards that Henry used and/or had access to during his employment.

**RESPONSE TO REQUEST NO. 39:**

Fox News objects to this Request as vague and ambiguous as it is unclear what is meant by “employee expenses[,]” “bills[,]” and “access to[.]” Fox News also objects to this Request as it is overbroad and seeks irrelevant information, specifically in that it seeks “all documents, communications and/or ESI” and “any expense reports” and “any bills or statements” from “any corporate credit cards” without any temporal limitation or limitation for expenses relevant to the claims or defenses in this matter, and the request is therefore not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefits. Fox News further object to this Request to the extent it seeks documents that are not within Fox News’ possession, custody or control. Subject to and without waiving the foregoing objections, Fox News will conduct a reasonable search and produce Henry’s expense reports relevant to the allegations in this matter.

**REQUEST NO. 40:** Produce all documents, communications and/or ESI concerning any travel itinerary of Henry from all times during his employment.

**RESPONSE TO REQUEST NO. 40:**

Fox News objects to this Request as vague and ambiguous as it is unclear what is meant by “travel itinerary[.]” Fox News also objects to this Request as it is overbroad and seeks irrelevant information, specifically in that it seeks “all documents, communications and/or ESI” concerning “any travel itinerary” without any temporal limitation or limitation to travel relevant to the claims or defenses in this matter, and the request is therefore not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefits. Subject to and without waiving the foregoing objections, Fox News will conduct a reasonable

search and produce relevant documents reflecting Henry's travel relevant to the allegations in this matter.

**REQUEST NO. 41:** Produce all documents, communications and/or ESI concerning Ms. Eckhart that were sent, received or created by Henry from 2014 to the present.

**RESPONSE TO REQUEST NO. 41:**

Fox News objects to this Request as vague and ambiguous as it is unclear what is meant by "created." Fox News also objects to this Request as it is overbroad and seeks irrelevant information, specifically in that it seeks "all documents, communications and/or ESI" and has no limitation to communications relevant to the claims or defenses in this matter, and therefore is not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefit. Fox News further object to this Request to the extent it seeks documents that are not within Fox News' possession, custody or control. Subject to and without waiving the foregoing objections, Fox News will conduct a reasonable search and produce relevant documents concerning Plaintiff that were sent by Henry to the extent such documents exist and will conduct a reasonable electronic search for relevant, non-privileged electronic documents upon an agreement between the parties of an appropriate electronic search protocol including, without limitation, an agreement as to the appropriate custodians, time frames, and search terms.

**REQUEST NO. 42:** Produce all documents, communications and/or ESI concerning Henry's use of a guest office at Fox News' New York location during 2015, including, but not limited to, the dates in which he used the guest office(s).

**RESPONSE TO REQUEST NO. 42:**

Fox News objects to this Request as it is overbroad and seeks irrelevant information, specifically in that it seeks "all documents, communications and/or ESI" concerning use of a guest office during all of 2015, and therefore is not proportional to the needs of the case and the

burden or expense of the proposed discovery outweighs the likely benefit. Fox News further object to this Request to the extent it seeks documents that are not within Fox News' possession, custody or control. Subject to and without waiving the foregoing objections, Fox News will produce documents reflecting Henry's use of a guest office at 1211 Avenue of the Americas in September 2015, to the extent such documents exist.

**REQUEST NO. 43:** Produce all documents, communications and/or ESI concerning the dates in which Henry worked in Fox's New York offices during his employment.

**RESPONSE TO REQUEST NO. 43:**

Fox News objects to this Request as vague and ambiguous as it is unclear what is meant by "worked in[.]" and "New York offices[.]" Fox News also objects to this Request as it is overbroad and seeks irrelevant information, specifically in that it seeks "all documents, communications and/or ESI" for any date when "Henry worked in Fox's New York offices" without any temporal limitation or limitation to documents relevant to the claims or defenses in this action, and therefore is not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefit. Fox News further object to this Request to the extent it seeks documents that are not within Fox News' possession, custody or control. Subject to and without waiving the foregoing objections, Fox News will produce documents reflecting Henry's use of a guest office at 1211 Avenue of the Americas or access to 1211 Avenue of the Americas relevant to the allegations in this matter, to the extent such documents exist.

**REQUEST NO. 44:** Produce all documents, communications and/or ESI concerning any dates during which Mr. Henry stayed at the Marriot Marquis hotel in New York City during his employment, including, but not limited to, receipts and/or expense reimbursement forms reflecting stays at the Marriot Marquis hotel.

**RESPONSE TO REQUEST NO. 44:**



Fox News objects to this Request as vague and ambiguous as it is unclear what is meant by “reflecting[.]” Fox News also objects to this Request as it is overbroad and seeks irrelevant information, specifically in that it seeks “all documents, communications and/or ESI” about Henry’s “stays at the Marriot Marquis hotel” without any temporal limitation or limitation for expenses relevant to the claims or defenses in this matter, and the request is therefore not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefits. Subject to and without waiving the foregoing objections, Fox News will produce Henry’s expense reports including stays at the Marriot Marquis hotel relevant to the allegations in this matter to the extent such documents exist.

**REQUEST NO. 45:** Produce all documents, communications and/or ESI concerning the decision to make Henry the substitute co-host for the Fox & Friends program, including, but not limited to, all discussions between or among Henry, his representatives and Fox News about the promotion and any changes in his compensation as a result of the promotion.

**RESPONSE TO REQUEST NO. 45:**

Fox News objects to this Request as vague and ambiguous as it is unclear what is meant by “his representatives” and “promotion.” Fox News also objects to this Request as it is overbroad and seeks irrelevant information, specifically in that it seeks “all documents, communications and/or ESI” without any temporal limitation and related to a topic that is irrelevant to the claims or defenses in this action, and therefore is not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefit. Fox News further object to this Request to the extent it seeks documents that are not within Fox News’ possession, custody or control. Fox News states that it is not producing documents within the scope of the objections.

**REQUEST NO. 46:** Produce all documents, communications and/or ESI related to Henry’s promotion to the co-anchor of the “America’s Newsroom” program, including, but not limited to, all discussions between or among Henry, his representatives and Fox News about the promotion

and any changes in his compensation as a result of the promotion.

**RESPONSE TO REQUEST NO. 46:**

Fox News objects to this Request as vague and ambiguous as it is unclear what is meant by “his representatives” and “promotion.” Fox News also objects to this Request as it is overbroad and seeks irrelevant information, specifically in that it seeks “all documents, communications and/or ESI” without any temporal limitation and related to a topic that is irrelevant to the claims or defenses in this action, and therefore is not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefit. Fox News further object to this Request to the extent it seeks documents that are not within Fox News’ possession, custody or control. Fox News states that it is not producing documents within the scope of the objections.

**REQUEST NO. 47:** Produce all documents, communications and/or ESI concerning the booking of on-air guests, reporters, anchors or staff for America’s Newsroom while Henry was co-anchor, including, but not limited to, the identity of any individuals who could book on-air personnel, the identity of the individuals who could approve on-air personnel and any written policies or procedures concerning the approval of on-air personnel.

**RESPONSE TO REQUEST NO. 47:**

Fox News objects to this Request as vague and ambiguous as it is unclear what is meant by “on-air personnel” and “his representatives[.]” Fox News also objects to this Request as it is overbroad and seeks irrelevant information, specifically in that it seeks “all documents, communications and/or ESI” related to a topic that is irrelevant to the claims or defenses in this action, and therefore is not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefit. Fox News further object to this Request to the extent it seeks documents that are not within Fox News’ possession, custody or control. Subject to and without waiving the foregoing objections, Fox News will produce relevant written policies

to the extent any exist.

**REQUEST NO. 48:** Produce all documents, communications and/or ESI related to the creation and development of “Ed Henry’s Front Row Seat,” including, but not limited to, any discussion between or among Henry, Henry’s representatives and/or any representative of Fox News concerning “Ed Henry’s Front Row Seat,” the dates on which Fox began discussing the creation of “Ed Henry’s Front Row Seat,” the reasons for the creation of “Ed Henry’s Front Row Seat,” and/or the individuals involved in the decision to create “Ed Henry’s Front Row Seat.”

**RESPONSE TO REQUEST NO. 48:**

Fox News objects to this Request as vague and ambiguous as it is unclear what is meant by “creation and development[.]” and “creation[.]” “involved” and “decision to create[.]” Fox News also objects to this Request as it is overbroad and seeks irrelevant information, specifically in that it seeks “all documents, communications and/or ESI” without any temporal limitation and related to a topic that is irrelevant to the claims or defenses in this action, and therefore is not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefit. Fox News further object to this Request to the extent it seeks documents that are not within Fox News’ possession, custody or control. Fox News states that it is not producing documents within the scope of the objections.

**REQUEST NO. 49:** Produce all documents, communications and/or ESI concerning the booking of on-camera guests, reporters, anchors or staff for “Ed Henry’s Front Row Seat”, including, but not limited to, the identity of any individuals who could book on-camera personnel, the identity of the individuals who could approve on-camera personnel and any written policies or procedures concerning the approval of on-camera personnel.

**RESPONSE TO REQUEST NO. 49:**

Fox News objects to this Request as vague and ambiguous as it is unclear what is meant by “on-air personnel” and “his representatives[.]” Fox News also objects to this Request as it is overbroad and seeks irrelevant information, specifically in that it seeks “all documents, communications and/or ESI” related to a topic that is irrelevant to the claims or defenses in this action, and therefore is not proportional to the needs of the case and the burden or expense of the

proposed discovery outweighs the likely benefit. Fox News further object to this Request to the extent it seeks documents that are not within Fox News' possession, custody or control. Subject to and without waiving the foregoing objections, Fox News will produce relevant written policies responsive to this Request to the extent any exist.

**REQUEST NO. 50:** Produce all documents, communications and/or ESI concerning the creation and/or establishment of any program and/or on-camera segment featuring Ed Henry during his employment with Fox, including, but not limited to, the identity of the individuals who participated in such negotiations, the dates of such negotiations, and/or any offers made to Ed Henry.

**RESPONSE TO REQUEST NO. 50:**

Fox News objects to this Request on the ground that this Request is so vague and overbroad as to prevent identification of the documents requested, specifically in that it seeks "all documents, communications and/or ESI" related to "any program and/or on-camera segment" featuring Henry without any temporal limitation or limitation for documents relevant to the claims or defenses in this action, and therefore is not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefit. Fox News further objects to this Request as vague and ambiguous as it is unclear what is meant by "creation and/or establishment" and "any program and/or on-camera segment[.]" Fox News further object to this Request to the extent it seeks documents that are not within Fox News' possession, custody or control. Fox News states that it is not producing documents within the scope of the objections.

**REQUEST NO. 51:** Produce all documents, communications and/or ESI concerning any conversation, discussions, or exchange between Ms. Eckhart and Denise Collins, Senior Vice President of Human Resources.

**RESPONSE TO REQUEST NO. 51:**

Fox News objects to this Request as vague and ambiguous as it is unclear what is meant

by “exchange[.]” Fox News objects to this Request on the ground that this Request is vague and overbroad, specifically in that it seeks “all documents, communications and/or ESI” between Denise Collins and Plaintiff without any temporal limitation or limitation for relevant ESI, and is therefore not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefits. Subject to and without waiving the foregoing objections, Fox News will conduct a reasonable search and produce relevant, non-privileged documents and electronic communications between Plaintiff and Denise Collins upon an agreement between the parties of an appropriate electronic search protocol including, without limitation, an agreement as to the appropriate custodians, time frames, and search terms.

**REQUEST NO. 52:** Produce all documents, communications and/or ESI sent, received or created by Mr. Hirst concerning sexual harassment, gender discrimination, sexual misconduct, sexual batteries, abuse and/or assaults.

**RESPONSE TO REQUEST NO. 52:**

Fox News objects to this Request as vague and ambiguous as it is unclear what is meant by “created[.]” or “sexual misconduct[.]” Fox News objects to this Request on the ground that this Request is overbroad and seeks irrelevant information, specifically in that it seeks “all documents, communications and/or ESI” “sent, received or created” by Brad Hirst concerning the topics identified in the Request without a relevant temporal limitation or limitation to documents related to Plaintiff or the claims or defenses in this matter, and the Request is therefore not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefits. Fox News further objects to this Request on grounds to the extent it seeks to use legal terms of art (i.e., “sexual batteries, abuse and/or assaults”) that are vague and undefined. Additionally, Fox News objects to this Request to the extent it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine,

and/or any other applicable privilege or immunity. Fox News further objects to this Request on the grounds it seeks confidential, sensitive and personal information disclosure of which would invade the privacy rights of employees or former employees at Fox News who are not parties to this action. Subject to and without waiving the foregoing objections, Fox News will conduct a reasonable electronic search for relevant, non-privileged electronic communications between Plaintiff and Brad Hirst upon an agreement between the parties of an appropriate electronic search protocol including, without limitation, an agreement as to the appropriate custodians, time frames, and search terms.

**REQUEST NO. 53:** Produce all documents, communications and/or ESI related to the decision to place Ms. Eckhart on a purported “Performance Improvement Plan” (“PIP”), as described in paragraph 92 of the Complaint.

**RESPONSE TO REQUEST NO. 53:**

Fox News objects to this Request overbroad, specifically in that it seeks “all documents, communications and/or ESI” related to the Performance Improvement Plan, and therefore is not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefit. Subject to and without waiving the foregoing objections, Fox News will produce documents related to Plaintiff’s placement on a Performance Improvement Plan and will conduct a reasonable electronic search for relevant, non-privileged electronic documents upon an agreement between the parties of an appropriate electronic search protocol including, without limitation, an agreement as to the appropriate custodians, time frames, and search terms.

**REQUEST NO. 54:** Produce all documents, communications and/or ESI related to any text messages, emails or other communications of any Fox employee and/or former employee about Ms. Eckhart being put on a PIP.

**RESPONSE TO REQUEST NO. 54:**

Fox News objects to this Request as overbroad and seeking irrelevant information, specifically in that it seeks “all documents, communications and/or ESI” from “any” Fox employee or former employee without any temporal limitation or limitation to relevant decision makers, and therefore is not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefit. Fox News further objects to this Request to the extent it seeks documents that are not within Fox News’ possession, custody or control. Subject to and without waiving the foregoing objections, Fox News refers Plaintiff to its response to Request No. 53.

**REQUEST NO. 55:** Produce all documents, communications and/or ESI related to the June 12, 2020 meeting between Ms. Eckhart, Mr. Hirst and Ms. Collins.

**RESPONSE TO REQUEST NO. 55:**

Fox News objects to this Request as overbroad, specifically in that it seeks “all documents, communications and/or ESI” related to the June 12, 2020 meeting, and therefore is not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefit. Subject to and without waiving the foregoing objections, Fox News will produce documents related to the June 12, 2020 meeting between Plaintiff, Brad Hirst and Denise Collins and will conduct a reasonable electronic search for relevant, non-privileged electronic documents upon an agreement between the parties of an appropriate electronic search protocol including, without limitation, an agreement as to the appropriate custodians, time frames, and search terms.

**REQUEST NO. 56:** Produce all documents, communications and/or ESI related to any text messages, emails or other communications between of any other Fox employee and/or former employee about Ms. Eckhart’s employment with Fox.

**RESPONSE TO REQUEST NO. 56:**

Fox News objects to this Request on the ground that this Request is so vague and

overbroad as to prevent identification of the documents requested, specifically in that it seeks “all documents, communications and/or ESI” between “any” other Fox employees or former employees” about “Ms. Eckhart’s employment” without any temporal limitation or limitation to communications relevant to this action, and therefore is not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefit. Fox News further objects to this Request as vague and ambiguous as it is unclear what is meant by “between of[,]” and “about Ms. Eckhart’s employment[.]” Fox News further objects to this Request to the extent it seeks documents that are not within Fox News’ possession, custody or control. Fox News states that it is not producing documents within the scope of the objections.

**REQUEST NO. 57:** Produce all documents, communications and/or ESI related to any text messages, emails or other communications of any Fox employee and/or former employee about any changes to Ms. Eckhart’s title and/or role with Fox.

**RESPONSE TO REQUEST NO. 57:**

Fox News objects to this Request on the ground that this Request is so vague and overbroad as to prevent identification of the documents requested, specifically in that it seeks “all documents, communications and/or ESI” of “any” other Fox employees or former employees” about “any changes” to Plaintiffs “title and/or role” without any temporal limitation or limitation to communications relevant to this action, and therefore is not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefit. Fox News further objects to this Request as vague and ambiguous as it is unclear what is meant by “about any changes” and “title and/or role with Fox.” Fox News further objects to this Request to the extent it seeks documents that are not within Fox News’ possession, custody or control. Fox News states that it is not producing documents within the scope of the objections.

**REQUEST NO. 58:** Produce all documents, communications and/or ESI related to any complaint made by Ms. Eckhart about gender discrimination, sexual misconduct, sexual



harassment and/or unequal treatment against any Fox employee.

**RESPONSE TO REQUEST NO. 58:**

Fox News objects to this Request as vague and ambiguous as it is unclear what is meant by “any complaint” and “unequal treatment[.]” Fox News objects to this Request on the ground that this Request is overbroad, specifically in that it seeks “all documents, communications and/or ESI” related to “any complaint” against “any Fox employee,” without any temporal limitation or limit for documents relevant to the claims or defenses in this matter, and therefore is not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefit. Fox News further objects to this Request on grounds to the extent it seeks to use legal terms of art (i.e., “gender discrimination, sexual misconduct, sexual harassment”) that are vague and undefined. Fox News further objects to this Request to the extent it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, and/or any other applicable privilege or immunity. Subject to and without waiving the foregoing objections, Fox News states it will conduct a reasonable search and produce relevant non-privileged documents to the extent they exist and will produce non-privileged documents related to Plaintiff’s counsel’s allegations regarding Henry made to Fox News on June 25, 2020.

**REQUEST NO. 59:** Produce all documents, communications and/or ESI related to any investigation conducted by Fox concerning any complaint made by Ms. Eckhart about any Fox employee.

**RESPONSE TO REQUEST NO. 59:**

Fox News objects to this Request on the ground that this Request is overbroad, specifically in that it seeks “all documents, communications and/or ESI” related to “any investigation” concerning “any complaint” against “any Fox employee,” without any temporal

limitation or limit for documents relevant to the claims or defenses in this matter, and therefore is not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefit. Fox News objects to this Request as vague and ambiguous as it is unclear what is meant by “any complaint[.]” Fox News further objects to this Request to the extent it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, and/or any other applicable privilege or immunity. Subject to and without waiving the foregoing objections, Fox News will produce relevant documents and communications concerning the Davis & Gilbert investigation into Eckhart’s counsel’s complaint regarding Henry and will conduct a reasonable electronic search for relevant, non-privileged electronic documents upon an agreement between the parties of an appropriate electronic search protocol including, without limitation, an agreement as to the appropriate custodians, time frames, and search terms.

**REQUEST NO. 60:** Produce all documents, communications and/or ESI related to any complaint made by Gretchen Carlson, Megyn Kelly or Britt McHenry about gender discrimination, sexual misconduct, sexual harassment and/or unequal treatment against any Fox employee.

**RESPONSE TO REQUEST NO. 60:**

Fox News objects to this Request as vague and ambiguous as it is unclear what is meant by “any complaint” and “unequal treatment[.]” Fox News further objects to this Request on the ground that this Request is overbroad, specifically in that it seeks “all documents, communications and/or ESI” related to “any complaint” against “any Fox employee,” without any temporal limitation or limit for documents relevant to the claims or defenses in this matter, and therefore is not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefit. Fox News objects to this Request on the ground that it seeks irrelevant information, specifically, “any” alleged “complaint” by “Gretchen

Carlson, Megyn Kelly or Britt McHenry” who are neither parties nor relevant to the claims or defenses in this matter. Fox News further objects to this Request on grounds to the extent it seeks to use legal terms of art (i.e., “gender discrimination, sexual misconduct, sexual harassment”) that are vague and undefined. Fox News further objects to this Request to the extent it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, and/or any other applicable privilege or immunity. Fox News states that it is not producing documents within the scope of the objections.

**REQUEST NO. 61:** Produce all documents, communications and/or ESI related to any investigation conducted by Fox concerning any complaint made by Gretchen Carlson, Megyn Kelly or Britt McHenry about any Fox employee.

**RESPONSE TO REQUEST NO. 61:**

Fox News objects to this Request on the ground that this Request is overbroad, specifically in that it seeks “all documents, communications and/or ESI” related to “any investigation” concerning “any complaint” about “any Fox employee,” without any temporal limitation or limitation for documents relevant to the claims or defenses in this matter, and therefore is not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefit. Fox News objects to this Request on the ground that it seeks irrelevant information, specifically, “any” alleged “complaint” by “Gretchen Carlson, Megyn Kelly or Britt McHenry,” who are neither parties nor relevant to the claims or defenses in this matter. Fox News objects to this Request as vague and ambiguous as it is unclear what is meant by “any complaint[.]” Fox News further objects to this Request to the extent it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, and/or any other applicable privilege or immunity. Fox News states that it is not producing documents within the scope of the objections.

**REQUEST NO. 62:** Produce all documents, communications and/or ESI related to the decision to terminate Ms. Eckhart's employment.

**RESPONSE TO REQUEST NO. 62:**

Fox News objects to this Request on the ground that this Request is overbroad, specifically in that it seeks "all documents, communications and/or ESI" related to the decision to terminate Ms. Eckhart's employment without any temporal limitation or limitation to individuals who had decision-making authority as to Plaintiff's employment, and therefore is not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefit. Subject to and without waiving the foregoing objections, Fox News will produce documents related to Plaintiff's termination and will conduct a reasonable electronic search for relevant, non-privileged electronic documents upon an agreement between the parties of an appropriate electronic search protocol including, without limitation, an agreement as to the appropriate custodians, time frames, and search terms.

**REQUEST NO. 63:** Produce all documents, communications and/or ESI concerning Ms. Eckhart's exit meeting with Fox, including, but not limited to, the identity of any individual who participated in the exit meeting, any script and/or questions asked during the exit meeting, and/or any notes, memoranda or documents created during or as a result of the meeting.

**RESPONSE TO REQUEST NO. 63:**

Fox News objects to this Request as vague and ambiguous as it is unclear what is meant by "participated[.]" "script" and "documents created...as a result of the meeting." Fox News further objects to this Request on the ground that this Request is overbroad, specifically in that it seeks "all documents, communications and/or ESI" related to Plaintiff's exit meeting, without any temporal limitation or limitation to documents related to the actual exit meeting, and therefore is not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefit. Additionally, Fox News objects to this Request to the

extent it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, and/or any other applicable privilege or immunity. Subject to and without waiving the foregoing objections, Fox News will produce documents related to Plaintiff's exit meeting on June 12, 2020 and will conduct a reasonable electronic search for relevant, non-privileged electronic documents upon an agreement between the parties of an appropriate electronic search protocol including, without limitation, an agreement as to the appropriate custodians, time frames, and search terms.

**REQUEST NO. 64:** Produce all documents, communications and/or ESI concerning any exit meeting with any employee of Fox from 2018 through the present, including, but not limited to, the identity of any individual who participated in the exit meeting, any script and/or questions asked during the exit meeting, and/or any notes, memoranda or documents created during or as a result of the meeting.

**RESPONSE TO REQUEST NO. 64:**

Fox News objects to this Request on the ground that this Request is so vague and overbroad as to prevent identification of the documents requested, specifically in that it seeks "all documents, communications and/or ESI" concerning "any exit meeting" from 2018 to the present, without any limitation to exit meetings relevant to Plaintiff's claims and covers the exit meetings for every Fox News employee who separated from 2018 to the present, and therefore is not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefit. Fox News further objects to this Request as ambiguous as it is unclear what is meant by "participated[.]" "script" and "documents created...as a result of the meeting." Defendant further objects to this Request on the grounds it seeks confidential, sensitive and personal information disclosure of which would invade the privacy rights of employees or former employees at Fox News who are not parties to this action. Additionally, Fox News objects to this Request to the extent it seeks information protected from disclosure by

the attorney-client privilege, the work product doctrine, and/or any other applicable privilege or immunity. Fox News states that it is not producing documents within the scope of the objections.

**REQUEST NO. 65:** Produce all documents, communications and/or ESI concerning Plaintiff's U.S. Equal Employment Opportunity Commission ("EEOC") Charge of Discrimination and Retaliation, including, but not limited to, any documents, communications and/or ESI submitted to and/or received by the EEOC.

**RESPONSE TO REQUEST NO. 65:**

Fox News objects to this Request on the ground that this Request is overbroad, specifically in that it seeks "all documents, communications and/or ESI" concerning U.S. Equal Employment Opportunity Commission ("EEOC") Charge "submitted to and/or received by the EEOC" without any limitation to Fox News' submissions, and therefore is not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefit. Fox News further objects to this Request to the extent it seeks documents that are not within Fox News' possession, custody or control. Additionally, Fox News objects to this Request to the extent it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, and/or any other applicable privilege or immunity. Subject to and without waiving the foregoing objections, Fox News states it never received any documents from the EEOC concerning Plaintiff or Plaintiff's EEOC Charge.

**REQUEST NO. 66:** Produce all documents, communications and/or ESI related to any text messages, emails or other communications of any Fox employee and/or former employee about Ms. Eckhart being fired or that she should be fired.

**RESPONSE TO REQUEST NO. 66:**

Fox News objects to this Request as vague and ambiguous as it is unclear what is meant by "about Ms. Eckhart being fired[.]" Fox News further objects to this Request on the ground that this Request is overbroad, specifically in that it seeks "all documents, communications

and/or ESI” of “any” Fox News employee and/or former employee without any temporal limitation or limitation to decision makers as to Plaintiff’s employment, and therefore is not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefit. Fox News further objects to this Request to the extent it seeks documents that are not within Fox News’ possession, custody or control. Additionally, Fox News objects to this Request to the extent it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, and/or any other applicable privilege or immunity. Subject to and without waiving the foregoing objections, Fox News will produce relevant communications concerning Plaintiff’s termination and will conduct a reasonable electronic search for relevant, non-privileged electronic documents upon an agreement between the parties of an appropriate electronic search protocol including, without limitation, an agreement as to the appropriate custodians, time frames, and search terms.

**REQUEST NO. 67:** Produce all documents, communications and/or ESI related to Fox’s decision to suspend Henry in or around 2016, including, but not limited to, the reasons for the suspension.

**RESPONSE TO REQUEST NO. 67:**

Fox News objects to this Request on the ground that this Request is vague with respect to “suspend[,]” “suspension” and “related.” Additionally, Fox News objects to this Request to the extent it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, and/or any other applicable privilege or immunity. Subject to and without waiving the foregoing objections, Fox News will produce documents concerning Henry’s leave of absence in 2016 and will conduct a reasonable electronic search for relevant, non-privileged electronic documents upon an agreement between the parties of an appropriate electronic search protocol including, without limitation, an agreement as to the appropriate custodians, time

frames, and search terms.

**REQUEST NO. 68:** Produce all documents, communications and/or ESI related to Fox’s decision to end Henry’s suspension in or around 2016.

**RESPONSE TO REQUEST NO. 68:**

Fox News objects to this Request on the ground that this Request is vague with respect to “related” and “suspension” and is overbroad and seeks irrelevant information, specifically in that it seeks “all documents, communications and/or ESI” related to the decision to end Henry’s “suspension” in 2016, and therefore is not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefit. Additionally, Fox News objects to this Request to the extent it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, and/or any other applicable privilege or immunity. Subject to and without waiving the foregoing objections, Fox News will produce documents concerning Henry’s return to work in August 2016 and will conduct a reasonable electronic search for relevant, non-privileged electronic documents upon an agreement between the parties of an appropriate electronic search protocol including, without limitation, an agreement as to the appropriate custodians, time frames, and search terms.

**REQUEST NO. 69:** Produce all documents, communications and/or ESI concerning any training/counseling sessions attended by or recommended for Henry by Fox.

**RESPONSE TO REQUEST NO. 69:**

Fox News objects to this Request as vague and ambiguous as it is unclear what is meant by “training/counseling sessions[,]” or “recommended for Henry by Fox.” Fox News further objects to this Request on the ground that this Request is overbroad and seeks irrelevant information, specifically in that it seeks “all documents, communications and/or ESI” concerning “any” alleged training or counseling sessions, and therefore is not proportional to the needs of



the case and the burden or expense of the proposed discovery outweighs the likely benefit. Fox News further objects to this Request to the extent it seeks documents that are not within Fox News' possession, custody or control. Fox News further objects to this Request on the grounds it seeks confidential, sensitive and personal information disclosure of which would invade the privacy rights of employees or former employees at Fox News. Additionally, Fox News objects to this Request to the extent it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, and/or any other applicable privilege or immunity. Subject to and without waiving the foregoing objections, Fox News will produce documents concerning medical treatment of Henry in 2016 and will conduct a reasonable electronic search for relevant, non-privileged electronic documents upon an agreement between the parties of an appropriate electronic search protocol including, without limitation, an agreement as to the appropriate custodians, time frames, and search terms.

**REQUEST NO. 70:** Produce Henry's full personnel file from his employment with Fox.

**RESPONSE TO REQUEST NO. 70:**

Fox News objects to this Request as vague and ambiguous as to the meaning of the term "full." Subject to and without waiving the foregoing objections, Fox News will produce the personnel file it maintained for Henry.

**REQUEST NO. 71:** Produce all documents, communications and/or ESI concerning any agreement or contract between Fox News and Henry.

**RESPONSE TO REQUEST NO. 71:**

Fox News objects to this Request on the ground that this Request is overbroad and seeks irrelevant information, specifically in that it seeks "all documents, communications and/or ESI" concerning "any agreement or contract" without any temporal limitation, and therefore is not proportional to the needs of the case and the burden or expense of the proposed discovery

outweighs the likely benefit. Fox News further objects to this Request on the grounds it seeks confidential, sensitive and personal information disclosure of which would invade the privacy rights of employees or former employees at Fox News. Subject to and without waiving the foregoing objections, Fox News will produce Henry's employment agreements.

**REQUEST NO. 72:** Produce all documents, communications and/or ESI related to any complaint made by any woman about Henry, including, but not limited to, any complaints about Henry's treatment, conduct and/or behavior towards any woman.

**RESPONSE TO REQUEST NO. 72:**

Fox News objects to this Request as vague and ambiguous as it is unclear what is meant by "any complaint" or "treatment, conduct and/or behavior towards[.]" Fox News further objects to this Request on the ground that this Request is overbroad and seeks irrelevant information, specifically in that it seeks "all documents, communications and/or ESI" related to "any complaint" made by "any woman" without any temporal limitation to before February 2017 or limitation to documents relevant to the claims or defenses in this matter and the Request is therefore not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefits. Fox News further objects to this Request to the extent it seeks documents that are not within Fox News' possession, custody or control. Fox News further objects to this Request to the extent it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, and/or any other applicable privilege or immunity. Subject to and without waiving the foregoing objections, Fox News will conduct a reasonable electronic search for and produce relevant, non-privileged electronic documents upon an agreement between the parties of an appropriate electronic search protocol including, without limitation, an agreement as to the appropriate custodians, time frames, and search terms.

**REQUEST NO. 73:** Produce all documents, communications and/or ESI related to any complaint made by any current and/or former employee, agent or intern at Fox about Henry.

**RESPONSE TO REQUEST NO. 73:**

Fox News objects to this Request on the ground that this Request is so vague and overbroad as to prevent identification of the documents requested, specifically in that it seeks “all documents, communications and/or ESI” related to “any complaint” about Henry, without any temporal limitation or limitation to documents relevant to the claims or defenses in this matter and the Request is therefore not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefits. Fox News further objects to this Request as vague and ambiguous as it is unclear what is meant by “any complaint[.]” Fox News objects to this Request to the extent it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, and/or any other applicable privilege or immunity. Fox News states that it is not producing documents within the scope of the objections.

**REQUEST NO. 74:** Produce all documents, communications and/or ESI related to any complaint about Henry’s treatment of women.

**RESPONSE TO REQUEST NO. 74:**

Fox News objects to this Request as vague and ambiguous as it is unclear what is meant by “any complaint” or “treatment of women” Fox News further objects to this Request on the ground that this Request is overbroad and seeks irrelevant information, specifically in that it seeks “all documents, communications and/or ESI” related to “any complaint” without any temporal limitation or limitation to documents relevant to the claims or defenses in this matter and the Request is therefore not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefits. Fox News further objects to this Request to the extent it seeks documents that are not within Fox News’ possession, custody or control. Fox News further objects to this Request to the extent it seeks information protected

from disclosure by the attorney-client privilege, the work product doctrine, and/or any other applicable privilege or immunity. Subject to and without waiving the foregoing objections, Fox News refers Plaintiff to its response to Request Number 72.

**REQUEST NO. 75:** Produce all documents, communications and/or ESI related to any investigation conducted by Fox, its current and/or former employees, agents, outside law firms or representatives concerning Henry, including, but not limited to, the results of any such investigations.

**RESPONSE TO REQUEST NO. 75:**

Fox News objects to this Request on the ground that this Request is overbroad, specifically in that it seeks “all documents, communications and/or ESI” related to “any investigation” concerning “Henry,” without any temporal limitation or limitation to documents relevant to the claims or defenses in this matter, and therefore is not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefit. Fox News objects to this Request as vague and ambiguous as it is unclear what is meant by “agents” or “representatives[.]” Fox News further objects to this Request to the extent it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, and/or any other applicable privilege or immunity. Subject to and without waiving the foregoing objections, Fox News refers Plaintiff to its response to Request Number 59.

**REQUEST NO. 76:** Produce the complete personnel file of Ed Henry, including, but not limited to, employment applications, resumes, acknowledgements of receipt of employment handbooks, compensation and/or benefits information.

**RESPONSE TO REQUEST NO. 76:**

Fox News incorporates by reference their Response and Objection to Request Numbers 70 and 71.

**REQUEST NO. 77:** Produce all performance evaluations, whether formal or informal, including, but not limited to, performance reviews, performance evaluations, performance appraisals, performance summaries, self-evaluations, peer reviews, cross evaluations or

performance improvement plans completed for or with respect to Ed Henry during his employment at Fox.

**RESPONSE TO REQUEST NO. 77:**

Fox News incorporates by reference their Response and Objection to Request Numbers 70 and 71.

**REQUEST NO. 78:** Produce all documents, communications and/or ESI concerning any complaint, charge, lawsuit, report or other documentation regarding any form of discrimination, harassment, retaliation, unequal pay and/or unequal treatment made against Roger Ailes from January 1, 2014 to the present.

**RESPONSE TO REQUEST NO. 78:**

Fox News objects to this Request on the ground that it seeks irrelevant information related to Roger Ailes, who is neither a party to this action nor relevant to the claims or defenses in this matter. Fox News further objects to this Request on the ground that this Request is overbroad, specifically in that it seeks “all documents, communications and/or ESI” related to “any complaint, charge, lawsuit, report or other documentation” made against Roger Ailes dating back to January 1, 2014, without any limitation as to geography, department, business unit, relevant decision-makers, or other limitation for documents relevant to the claims or defenses in this matter, and therefore is not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefit. Fox News objects to this Request as vague and ambiguous as it is unclear what is meant by “any complaint,” “report,” “other documentation” or “unequal treatment[.]” Fox News further objects to this Request on grounds to the extent it seeks to use legal terms of art (i.e., “discrimination, harassment, retaliation, unequal pay”) that are vague and undefined. Fox News objects to this Request to the extent it seeks documents that are not within Fox News’ possession, custody or control. Fox News further objects to this Request on the grounds it seeks confidential, sensitive and personal

information disclosure of which would invade the privacy rights of employees or former employees at Fox News who are not parties to this action. Finally, Fox News objects to this Request to the extent it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, and/or any other applicable privilege or immunity. Fox News states that it is not producing documents within the scope of the objections.

**REQUEST NO. 79:** Produce all documents, communications and/or ESI concerning any investigation conducted by Fox and/or its agents, representatives or outside lawyers concerning Roger Ailes from January 1, 2014 to the present.

**RESPONSE TO REQUEST NO. 79:**

Fox News objects to this Request on the ground that it seeks irrelevant information related to Roger Ailes, who is neither a party to this action nor relevant to the claims or defenses in this matter. Fox News further objects to this Request on the ground that this Request is overbroad, specifically in that it seeks “all documents, communications and/or ESI” related to “any investigation” concerning Roger Ailes dating back to January 1, 2014, without any limitation as to geography, department, business unit, relevant decision-maker, or other limitation for documents relevant to the claims or defenses in this matter, and therefore is not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefit. Fox News objects to this Request as vague and ambiguous as it is unclear what is meant by “agents, representatives or outside lawyers[.]” Fox News further objects to this Request on grounds to the extent it seeks to use legal terms of art (i.e., “agents”) that are vague and undefined. Fox News further objects to this Request on the grounds it seeks confidential, sensitive and personal information disclosure of which would invade the privacy rights of employees or former employees at Fox News who are not parties to this action. Fox News objects to this Request to the extent it seeks documents that are not within Fox News’

possession, custody or control. Finally, Fox News objects to this Request to the extent it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, and/or any other applicable privilege or immunity. Fox News states that it is not producing documents within the scope of the objections.

**REQUEST NO. 80:** Produce all documents, communications and/or ESI concerning any payments made by Fox and/or any of its affiliates or subsidiaries to any woman who complained about Roger Ailes.

**RESPONSE TO REQUEST NO. 80:**

Fox News objects to this Request on the ground that it seeks irrelevant information related to Roger Ailes, who is neither a party to this action nor relevant to the claims or defenses in this matter. Fox News further objects to this Request on the ground that this Request is overbroad, specifically in that it seeks “all documents, communications and/or ESI” related to “any payments” to “any woman,” without any temporal limitation, limitation as to geography, department, business unit, relevant decision-maker, or other limitation for documents relevant to the claims or defenses in this matter, and therefore is not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefit. Fox News objects to this Request as vague and ambiguous as it is unclear what is meant by “affiliates” and “complained.” Fox News further objects to this Request on grounds to the extent it seeks to use legal terms of art (i.e., “affiliates or subsidiaries”) that are vague and undefined. Fox News objects to this Request to the extent it seeks documents that are not within Fox News’ possession, custody or control. Fox News further objects to this Request on the grounds it seeks confidential, sensitive and personal information disclosure of which would invade the privacy rights of employees or former employees at Fox News who are not parties to this action. Finally, Fox News objects to this Request to the extent it seeks information protected from disclosure by

the attorney-client privilege, the work product doctrine, and/or any other applicable privilege or immunity. Fox News states that it is not producing documents within the scope of the objections.

**REQUEST NO. 81:** Produce all documents, communications and/or ESI concerning any complaint, charge, lawsuit, report or other documentation regarding any form of discrimination, harassment, retaliation, unequal pay and/or unequal treatment made against Bill O'Reilly from January 1, 2014 to the present.

**RESPONSE TO REQUEST NO. 81:**

Fox News objects to this Request on the ground that it seeks irrelevant information related to Bill O'Reilly, who is neither a party to this action nor relevant to the claims or defenses in this matter. Fox News further objects to this Request on the ground that this Request is overbroad, specifically in that it seeks "all documents, communications and/or ESI" related to "any complaint, charge, lawsuit, report or other documentation" made against Bill O'Reilly dating back to January 1, 2014, without any limitation as to geography, department, business unit, relevant decision-makers, or other limitation for documents relevant to the claims or defenses in this matter, and therefore is not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefit. Fox News objects to this Request as vague and ambiguous as it is unclear what is meant by "any complaint," "report," "other documentation" or "unequal treatment[.]" Fox News further objects to this Request on grounds to the extent it seeks to use legal terms of art (i.e., "discrimination, harassment, retaliation, unequal pay") that are vague and undefined. Fox News objects to this Request to the extent it seeks documents that are not within Fox News' possession, custody or control. Fox News further objects to this Request on the grounds it seeks confidential, sensitive and personal information disclosure of which would invade the privacy rights of employees or former employees at Fox News who are not parties to this action. Fox News further objects to this



Request to the extent it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, and/or any other applicable privilege or immunity. Fox News states that it is not producing documents within the scope of the objections.

**REQUEST NO. 82:** Produce all documents, communications and/or ESI concerning any investigation conducted by Fox and/or its agents, representatives or outside lawyers concerning Bill O'Reilly from January 1, 2014 to the present.

**RESPONSE TO REQUEST NO. 82:**

Fox News objects to this Request on the ground that it seeks irrelevant information related to Bill O'Reilly, who is neither a party to this action nor relevant to the claims or defenses in this matter. Fox News further objects to this Request on the ground that this Request is overbroad, specifically in that it seeks "all documents, communications and/or ESI" related to "any investigation" concerning Bill O'Reilly dating back to January 1, 2014, without any limitation as to geography, department, business unit, relevant decision-maker, or other limitation for documents relevant to the claims or defenses in this matter, and therefore is not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefit. Fox News objects to this Request as vague and ambiguous as it is unclear what is meant by "agents, representatives or outside lawyers[.]" Fox News further objects to this Request on grounds to the extent it seeks to use legal terms of art (i.e., "agents") that are vague and undefined. Fox News objects to this Request to the extent it seeks documents that are not within Fox News' possession, custody or control. Fox News further objects to this Request on the grounds it seeks confidential, sensitive and personal information disclosure of which would invade the privacy rights of employees or former employees at Fox News who are not parties to this action. Finally, Fox News objects to this Request to the extent it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine,

and/or any other applicable privilege or immunity. Fox News states that it is not producing documents within the scope of the objections.

**REQUEST NO. 83:** Produce all documents, communications and/or ESI concerning any payments made by Fox and/or any of its affiliates or subsidiaries to any woman who complained about Bill O'Reilly.

**RESPONSE TO REQUEST NO. 83:**

Fox News objects to this Request on the ground that it seeks irrelevant information related to Bill O'Reilly, who is neither a party to this action nor relevant to the claims or defenses in this matter. Fox News further objects to this Request on the ground that this Request is overbroad, specifically in that it seeks "all documents, communications and/or ESI" related to "any payments" to "any woman," without any temporal limitation, limitation as to geography, department, business unit, relevant decision-maker, or other limitation for documents relevant to the claims or defenses in this matter, and therefore is not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefit. Fox News objects to this Request as vague and ambiguous as it is unclear what is meant by "affiliates" and "complained." Fox News further objects to this Request on grounds to the extent it seeks to use legal terms of art (i.e., "affiliates or subsidiaries") that are vague and undefined. Fox News objects to this Request to the extent it seeks documents that are not within Fox News' possession, custody or control. Fox News further objects to this Request on the grounds it seeks confidential, sensitive and personal information disclosure of which would invade the privacy rights of employees or former employees at Fox News who are not parties to this action. Finally, Fox News objects to this Request to the extent it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, and/or any other applicable privilege or immunity. Fox News states that it is not producing documents within the scope of the

objections.

**REQUEST NO. 84:** Produce all documents, communications and/or ESI concerning any complaint, charge, lawsuit, report or other documentation regarding any form of discrimination, harassment, retaliation, unequal pay and/or unequal treatment made against Andrew Napolitano from January 1, 2014 to the present.

**RESPONSE TO REQUEST NO. 84:**

Fox News objects to this Request on the ground that it seeks irrelevant information related to Andrew Napolitano, who is neither a party to this action nor relevant to the claims or defenses in this matter. Fox News further objects to this Request on the ground that this Request is overbroad, specifically in that it seeks “all documents, communications and/or ESI” related to “any complaint, charge, lawsuit, report or other documentation” made against Andrew Napolitano dating back to January 1, 2014, without any limitation as to geography, department, business unit, relevant decision-makers, or other limitation for documents relevant to the claims or defenses in this matter, and therefore is not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefit. Fox News objects to this Request as vague and ambiguous as it is unclear what is meant by “any complaint,” “report,” “other documentation” or “unequal treatment[.]” Fox News further objects to this Request on grounds to the extent it seeks to use legal terms of art (i.e., “discrimination, harassment, retaliation, unequal pay”) that are vague and undefined. Fox News objects to this Request to the extent it seeks documents that are not within Fox News’ possession, custody or control. Fox News further objects to this Request on the grounds it seeks confidential, sensitive and personal information disclosure of which would invade the privacy rights of employees or former employees at Fox News who are not parties to this action. Fox News further objects to this Request to the extent it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, and/or any other applicable privilege or immunity. Fox

News states that it is not producing documents within the scope of the objections.

**REQUEST NO. 85:** Produce all documents, communications and/or ESI concerning any investigation conducted by Fox and/or its agents, representatives or outside lawyers concerning Andrew Napolitano from January 1, 2014 to the present.

**RESPONSE TO REQUEST NO. 85:**

Fox News objects to this Request on the ground that it seeks irrelevant information related to Andrew Napolitano, who is neither a party to this action nor relevant to the claims or defenses in this matter. Fox News further objects to this Request on the ground that this Request is overbroad, specifically in that it seeks “all documents, communications and/or ESI” related to “any investigation” concerning Andrew Napolitano dating back to January 1, 2014, without any limitation as to geography, department, business unit, relevant decision-maker, or other limitation for documents relevant to the claims or defenses in this matter, and therefore is not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefit. Fox News objects to this Request as vague and ambiguous as it is unclear what is meant by “agents, representatives or outside lawyers[.]” Fox News further objects to this Request on grounds to the extent it seeks to use legal terms of art (i.e., “agents”) that are vague and undefined. Fox News objects to this Request to the extent it seeks documents that are not within Fox News’ possession, custody or control. Fox News further objects to this Request on the grounds it seeks confidential, sensitive and personal information disclosure of which would invade the privacy rights of employees or former employees at Fox News who are not parties to this action. Finally, Fox News objects to this Request to the extent it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, and/or any other applicable privilege or immunity. Fox News states that it is not producing documents within the scope of the objections.

**REQUEST NO. 86:** Produce all documents, communications and/or ESI concerning any payments made by Fox and/or any of its affiliates or subsidiaries to any woman who complained about Andrew Napolitano.

**RESPONSE TO REQUEST NO. 86:**

Fox News objects to this Request on the ground that it seeks irrelevant information related to Andrew Napolitano, who is neither a party to this action nor relevant to the claims or defenses in this matter. Fox News further objects to this Request on the ground that this Request is overbroad, specifically in that it seeks “all documents, communications and/or ESI” related to “any payments” to “any woman,” without any temporal limitation, limitation as to geography, department, business unit, relevant decision-maker, or other limitation for documents relevant to the claims or defenses in this matter, and therefore is not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefit. Fox News objects to this Request as vague and ambiguous as it is unclear what is meant by “affiliates” and “complained.” Fox News further objects to this Request on grounds to the extent it seeks to use legal terms of art (i.e., “affiliates or subsidiaries”) that are vague and undefined. Fox News objects to this Request to the extent it seeks documents that are not within Fox News’ possession, custody or control. Fox News further objects to this Request on the grounds it seeks confidential, sensitive and personal information disclosure of which would invade the privacy rights of employees or former employees at Fox News who are not parties to this action. Finally, Fox News objects to this Request to the extent it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, and/or any other applicable privilege or immunity. Fox News states that it is not producing documents within the scope of the objections.

**REQUEST NO. 87:** Produce all documents, communications and/or ESI concerning any complaint, charge, lawsuit, report or other documentation regarding any form of discrimination,

harassment, retaliation, unequal pay and/or unequal treatment made against George Murdoch from January 1, 2014 to the present.

**RESPONSE TO REQUEST NO. 87:**

Fox News objects to this Request on the ground that it seeks irrelevant information related to George Murdoch, who is neither a party to this action nor relevant to the claims or defenses in this matter. Fox News further objects to this Request on the ground that this Request is overbroad, specifically in that it seeks “all documents, communications and/or ESI” related to “any complaint, charge, lawsuit, report or other documentation” made against George Murdoch dating back to January 1, 2014, without any limitation as to geography, department, business unit, relevant decision-makers, or other limitation for documents relevant to the claims or defenses in this matter, and therefore is not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefit. Fox News objects to this Request as vague and ambiguous as it is unclear what is meant by “any complaint,” “report,” “other documentation” or “unequal treatment[.]” Fox News further objects to this Request on grounds to the extent it seeks to use legal terms of art (i.e., “discrimination, harassment, retaliation, unequal pay”) that are vague and undefined. Fox News objects to this Request to the extent it seeks documents that are not within Fox News’ possession, custody or control. Fox News further objects to this Request to the extent it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, and/or any other applicable privilege or immunity. Fox News states that it is not producing documents within the scope of the objections.

**REQUEST NO. 88:** Produce all documents, communications and/or ESI concerning any investigation conducted by Fox and/or its agents, representatives or outside lawyers concerning George Murdoch from January 1, 2014 to the present.

**RESPONSE TO REQUEST NO. 88:**

Fox News objects to this Request on the ground that it seeks irrelevant information related to George Murdoch, who is neither a party to this action nor relevant to the claims or defenses in this matter. Fox News further objects to this Request on the ground that this Request is overbroad, specifically in that it seeks “all documents, communications and/or ESI” related to “any investigation” concerning George Murdoch dating back to January 1, 2014, without any limitation as to geography, department, business unit, relevant decision-maker, or other limitation for documents relevant to the claims or defenses in this matter, and therefore is not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefit. Fox News objects to this Request as vague and ambiguous as it is unclear what is meant by “agents, representatives or outside lawyers[.]” Fox News further objects to this Request on grounds to the extent it seeks to use legal terms of art (i.e., “agents”) that are vague and undefined. Fox News objects to this Request to the extent it seeks documents that are not within Fox News’ possession, custody or control. Finally, Fox News objects to this Request to the extent it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, and/or any other applicable privilege or immunity. Fox News states that it is not producing documents within the scope of the objections.

**REQUEST NO. 89:** Produce all documents, communications and/or ESI concerning any payments made by Fox and/or any of its affiliates or subsidiaries to any woman who complained about George Murdoch.

**RESPONSE TO REQUEST NO. 89:**

Fox News objects to this Request on the ground that it seeks irrelevant information related to George Murdoch, who is neither a party to this action nor relevant to the claims or defenses in this matter. Fox News further objects to this Request on the ground that this Request is overbroad, specifically in that it seeks “all documents, communications and/or ESI”

related to “any payments” to “any woman,” without any temporal limitation, limitation as to geography, department, business unit, relevant decision-maker, or other limitation for documents relevant to the claims or defenses in this matter, and therefore is not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefit. Fox News objects to this Request as vague and ambiguous as it is unclear what is meant by “affiliates” and “complained.” Fox News further objects to this Request on grounds to the extent it seeks to use legal terms of art (i.e., “affiliates or subsidiaries”) that are vague and undefined. Fox News objects to this Request to the extent it seeks documents that are not within Fox News’ possession, custody or control. Fox News further objects to this Request on the grounds it seeks confidential, sensitive and personal information disclosure of which would invade the privacy rights of employees or former employees at Fox News who are not parties to this action. Finally, Fox News objects to this Request to the extent it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, and/or any other applicable privilege or immunity. Fox News states that it is not producing documents within the scope of the objections.

**REQUEST NO. 90:** Produce all documents, communications and/or ESI concerning the termination of Bill Shine in 2017.

**RESPONSE TO REQUEST NO. 90:**

Fox News objects to this Request on the ground that it seeks irrelevant information related to Bill Shine, who is neither a party to this action nor relevant to the claims or defenses in this matter. Fox News further objects to this Request on the ground that this Request is overbroad, specifically in that it seeks “all documents, communications and/or ESI” related to “termination” of Bill Shine without any limitation on what documents the request is seeking or any other limitation for documents relevant to the claims or defenses in this matter, and therefore



is not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefit. Fox News objects to this Request to the extent it seeks documents that are not within Fox News' possession, custody or control. Fox News further objects to this Request on the grounds it seeks confidential, sensitive and personal information disclosure of which would invade the privacy rights of employees or former employees at Fox News who are not parties to this action. Finally, Fox News objects to this Request to the extent it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, and/or any other applicable privilege or immunity. Fox News states that it is not producing documents within the scope of the objections.

**REQUEST NO. 91:** Produce all documents, communications and/or ESI concerning the terms and conditions of employment and compensation of Bill O'Reilly from 2016 and 2017.

**RESPONSE TO REQUEST NO. 91:**

Fox News objects to this Request on the ground that it seeks irrelevant information related to Bill O'Reilly, who is neither a party to this action nor relevant to the claims or defenses in this matter. Fox News further objects to this Request on the ground that this Request is overbroad, specifically in that it seeks "all documents, communications and/or ESI" without any limitation on what documents the request is seeking or any other limitation for documents relevant to the claims or defenses in this matter, and therefore is not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefit. Fox News objects to this Request as vague and ambiguous as it is unclear what is meant by "concerning[.]" Fox News objects to this Request to the extent it seeks documents that are not within Fox News' possession, custody or control. Fox News further objects to this Request on the grounds it seeks confidential, sensitive and personal information disclosure of which would invade the privacy rights of employees or former employees at Fox News who are not parties to

this action. Finally, Fox News objects to this Request to the extent it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, and/or any other applicable privilege or immunity. Fox News states that it is not producing documents within the scope of the objections.

**REQUEST NO. 92:** Produce all documents, communications and/or ESI concerning Fox’s advertisers’ views of Mr. O’Reilly and his show “The O’Reilly Factor” from 2017.

**RESPONSE TO REQUEST NO. 92:**

Fox News objects to this Request on the ground that it seeks irrelevant information related to Bill O’Reilly, and his show The O’Reilly Factor, who is neither a party to this action nor relevant to the claims or defenses in this matter. Fox News further objects to this Request on the ground that this Request is overbroad, specifically in that it seeks “all documents, communications and/or ESI” concerning “advertisers’ views,” without any limitation on what documents the request is seeking or any other limitation for documents relevant to the claims or defenses in this matter, and therefore is not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefit. Fox News objects to this Request as vague and ambiguous as it is unclear what is meant by “concerning” and “advertisers’ views[.]” Fox News objects to this Request to the extent it seeks documents that are not within Fox News’ possession, custody or control. Fox News states that it is not producing documents within the scope of the objections.

**REQUEST NO. 93:** Produce all documents, communications and/or ESI concerning any advertiser boycotts or potential boycotts of Fox News from 2016, 2017 or 2018.

**RESPONSE TO REQUEST NO. 93:**

Fox News objects to this Request as vague and ambiguous as it is unclear what is meant by “advertiser boycott” and “potential boycott[.]” Fox News objects to this Request on the

ground that it seeks irrelevant information related to “advertiser boycotts” or “potential boycotts[.]. Fox News further objects to this Request on the ground that this Request is so vague and overbroad as to prevent identification of the documents requested, specifically in that it seeks “all documents, emails and/or communications,” related to “any advertiser boycott” or “potential boycott” without any limitation to documents relevant to this matter or the claims or defenses in this matter, and therefore the Requests is not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefits. Fox News objects to this Request to the extent it seeks documents that are not within Fox News’ possession, custody or control. Fox News states that it is not producing documents within the scope of the objections.

**REQUEST NO. 94:** Produce all documents, communications and/or ESI concerning the investigation starting in or around 2016 by the law firm Paul, Weiss, Rifkind, Wharton & Garrison LLP (“Paul Weiss”), including, but not limited to, the identity of the individuals interviewed as part of the investigation, the results of the investigation and/or any disciplinary action recommended and/or issued to any Fox employee following the investigation.

**RESPONSE TO REQUEST NO. 94:**

Fox News objects to this Request on the ground that it seeks irrelevant information related to an alleged investigation by Paul, Weiss, Rifkind, Wharton & Garrison LLP (“Paul Weiss”) which is unrelated to any claims or defenses in this matter. Fox News further objects to this Request on the ground that this Request is overbroad, specifically in that it seeks “all documents, communications and/or ESI” concerning the “investigation” by Paul Weiss, without any limitation to matters that are relevant to the claims or defenses in this matter, and therefore is not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefit. Fox News objects to this Request as vague and ambiguous as it is unclear what is meant by “results of the investigation[.]” and “disciplinary action recommended

and/or issued to any Fox employee following the investigation[.]” Fox News objects to this Request to the extent it seeks documents that are not within Fox News’ possession, custody or control. Finally, Fox News objects to this Request to the extent it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, and/or any other applicable privilege or immunity. Fox News states that it is not producing documents within the scope of the objections.

**REQUEST NO. 95:** Produce all documents, communications and/or ESI concerning the promotion of Suzanne Scott to CEO of Fox News in 2017.

**RESPONSE TO REQUEST NO. 95:**

Fox News objects to this Request on the ground that it seeks irrelevant information related to the promotion of Suzanne Scott, who is neither a party nor related to any claims or defenses in this matter. Fox News further objects to this Request on the ground that this Request is overbroad, specifically in that it seeks “all documents, communications and/or ESI” concerning the “promotion” of Suzanne Scott in 2017, long before Plaintiff ever alleges she disclosed any sexual interactions with Henry and without any limitation to documents relevant to this matter or claims or defenses in this matter, and therefore is not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefit. Fox News objects to this Request as vague and ambiguous as it is unclear what is meant by “concerning[.]” Fox News objects to this Request to the extent it seeks documents that are not within Fox News’ possession, custody or control. Fox News states that it is not producing documents within the scope of the objections.

**REQUEST NO. 96:** Produce all documents, communications and/or ESI sent, received or created by Kevin Lord concerning sexual misconduct, sexual harassment, gender discrimination, sexual batteries, abuse and/or assaults at Fox News since 2016.

**RESPONSE TO REQUEST NO. 96:**

Fox News objects to this Request as vague and ambiguous as it is unclear what is meant by “created[,]” or “sexual misconduct[,]” Fox News objects to this Request on the ground that this Request is overbroad and seeks irrelevant information, specifically in that it seeks “all documents, communications and/or ESI” “sent, received or created” by Kevin Lord concerning the topics identified in the Request without a relevant temporal limitation or limitation to documents related to Plaintiff or the claims or defenses in this matter, and the Request is therefore not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefits. Fox News further objects to this Request on grounds to the extent it seeks to use legal terms of art (i.e., “sexual batteries, abuse and/or assaults”) that are vague and undefined. Additionally, Fox News objects to this Request to the extent it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, and/or any other applicable privilege or immunity. Fox News further objects to this Request on the grounds it seeks confidential, sensitive and personal information disclosure of which would invade the privacy rights of employees or former employees at Fox News who are not parties to this action. Fox News states that it is not producing documents within the scope of the objections.

**REQUEST NO. 97:** Produce all documents, communications and/or ESI sent, received or created by Jay Wallace concerning sexual misconduct, sexual harassment, gender discrimination, sexual batteries, abuse and/or assaults at Fox News since 2016.

**RESPONSE TO REQUEST NO. 97:**

Fox News objects to this Request as vague and ambiguous as it is unclear what is meant by “created[,]” or “sexual misconduct[,]” Fox News objects to this Request on the ground that this Request is overbroad and seeks irrelevant information, specifically in that it seeks “all documents, communications and/or ESI” “sent, received or created” by Jay Wallace concerning

the topics identified in the Request without a relevant temporal limitation or limitation to documents related to Plaintiff or the claims or defenses in this matter, and the Request is therefore not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefits. Fox News further objects to this Request on grounds to the extent it seeks to use legal terms of art (i.e., “sexual batteries, abuse and/or assaults”) that are vague and undefined. Additionally, Fox News objects to this Request to the extent it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, and/or any other applicable privilege or immunity. Fox News further objects to this Request on the grounds it seeks confidential, sensitive and personal information disclosure of which would invade the privacy rights of employees or former employees at Fox News who are not parties to this action. Fox News states that it is not producing documents within the scope of the objections.

**REQUEST NO. 98:** Produce all documents, communications and/or ESI sent, received or created by Lauren Petterson concerning sexual misconduct, sexual harassment or gender discrimination at Fox News since 2016.

**RESPONSE TO REQUEST NO. 98:**

Fox News objects to this Request as vague and ambiguous as it is unclear what is meant by “created[,]” or “sexual misconduct[.]” Fox News objects to this Request on the ground that this Request is overbroad and seeks irrelevant information, specifically in that it seeks “all documents, communications and/or ESI” “sent, received or created” by Lauren Petterson concerning the topics identified in the Request without a relevant temporal limitation or limitation to documents related to Plaintiff or the claims or defenses in this matter, and the Request is therefore not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefits. Fox News further objects to this Request on

grounds to the extent it seeks to use legal terms of art (i.e., “sexual batteries, abuse and/or assaults”) that are vague and undefined. Additionally, Fox News objects to this Request to the extent it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, and/or any other applicable privilege or immunity. Fox News further objects to this Request on the grounds it seeks confidential, sensitive and personal information disclosure of which would invade the privacy rights of employees or former employees at Fox News who are not parties to this action. Fox News states that it is not producing documents within the scope of the objections.

**REQUEST NO. 99:** Produce all documents, communications and/or ESI sent, received or created by Charles Gasparino concerning sexual misconduct, sexual harassment, gender discrimination sexual batteries, abuse and/or assaults at Fox News.

**RESPONSE TO REQUEST NO. 99:**

Fox News objects to this Request as vague and ambiguous as it is unclear what is meant by “created[,]” or “sexual misconduct[.]” Fox News objects to this Request on the ground that this Request is overbroad and seeks irrelevant information, specifically in that it seeks “all documents, communications and/or ESI” “sent, received or created” by Charles Gasparino concerning the topics identified in the Request without a temporal limitation or limitation to documents related to Plaintiff or the claims or defenses in this matter, and the Request is therefore not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefits. Fox News further objects to this Request on grounds to the extent it seeks to use legal terms of art (i.e., “sexual batteries, abuse and/or assaults”) that are vague and undefined. Additionally, Fox News objects to this Request to the extent it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, and/or any other applicable privilege or immunity. Fox News further objects to this Request on

the grounds it seeks confidential, sensitive and personal information disclosure of which would invade the privacy rights of employees or former employees at Fox News who are not parties to this action. Fox News states that it is not producing documents within the scope of the objections.

**REQUEST NO. 100:** Produce all documents, communications and/or ESI that any employee of Fox News relied upon in creating and publishing any statement in response to the original filing of the instant lawsuit, as described in paragraph 130 of the Complaint.

**RESPONSE TO REQUEST NO. 100:**

Fox News objects to this Request on the ground that it seeks irrelevant information based on the Court's Order dated September 9, 2021 (Dkt. 52) dismissing all claims against Fox News related to statements concerning Henry's termination. Fox News also objects to this Request as vague and ambiguous as it is unclear what is meant by "relied upon[.]" Fox News states that it is not producing documents within the scope of the objections.

**REQUEST NO. 101:** Produce all documents, communications and/or ESI between any Fox News employees concerning the filing of the instant lawsuit.

**RESPONSE TO REQUEST NO. 101:**

Fox News objects to this Request on the ground that this Request is so vague and overbroad as to prevent identification of the documents requested, specifically in that it seeks "all documents, emails and/or communications" between "any" Fox News employees" without any temporal limitation or other limitation to documents relevant to the claims or defenses in this matter, and the Request is therefore not proportional to the needs of the case; therefore, the burden or expense of the proposed discovery outweighs the likely benefits. Fox News further objects to this Request to the extent it seeks documents that are not within Fox News' possession, custody or control. Fox News states that it is not producing documents within the scope of the objections.



**REQUEST NO. 102:** Produce all documents, communications and/or ESI related to any disciplinary action taken by Fox against Henry, whether formal or informal, including, but not limited to, the bases for any such disciplinary action.

**RESPONSE TO REQUEST NO. 102:**

Fox News further objects to this Request as vague and ambiguous as it is unclear what is meant by “formal or informal[.]” Additionally, Fox News objects to this Request to the extent it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, and/or any other applicable privilege or immunity. Subject to and without waiving the foregoing objections, Fox News will produce documents concerning Henry’s leave of absence in 2016 and Henry’s suspension and termination Henry in 2020, and will conduct a reasonable electronic search for relevant, non-privileged electronic documents related to these topics upon an agreement between the parties of an appropriate electronic search protocol including, without limitation, an agreement as to the appropriate custodians, time frames, and search terms.

**REQUEST NO. 103:** Produce all documents, communications and/or ESI related to the termination of Henry’s employment with Fox.

**RESPONSE TO REQUEST NO. 103:**

Fox News objects to this Request as vague and ambiguous as it is unclear what is meant by “related[.]” Fox News further objects to this Request to the extent it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, and/or any other applicable privilege or immunity. Subject to and without waiving the foregoing objections, Fox News will produce documents concerning Henry’s termination, and will conduct a reasonable electronic search for relevant, non-privileged electronic documents related to that topic upon an agreement between the parties of an appropriate electronic search protocol including, without limitation, an agreement as to the appropriate custodians, time frames, and search terms.

**REQUEST NO. 104:** Produce all documents, communications and/or ESI related to Henry's compensation with Fox, including, but not limited to, bonuses, stock awards and/or incentive compensation.

**RESPONSE TO REQUEST NO. 104:**

Fox News objects to this Request as vague and ambiguous as it is unclear what is meant by "incentive compensation." Fox News further objects to this Request on the ground that it seeks irrelevant information as any bonuses, stock awards and/or incentive compensation part of Henry's compensation at Fox News are irrelevant to the claims and defenses in this matter. Fox News objects to this Request on the ground that this Request is overbroad, specifically in that it seeks "all documents, communications and/or ESI" related to "Henry's compensation," without any temporal limitation, and therefore is not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefit. Fox News states that it is not producing documents within the scope of the objections.

**REQUEST NO. 105:** Produce all documents, communications and/or ESI related to any actual or proposed book deal between HarperCollins and Henry.

**RESPONSE TO REQUEST NO. 105:**

Fox News objects to this Request on the ground that it seeks irrelevant information as any "actual or proposed book deal" between HarperCollins and Henry is irrelevant to the claims and defenses in this matter. Fox News objects to this Request on the ground that this Request is overbroad, specifically in that it seeks "all documents, communications and/or ESI" related to "any actual or proposed book deal," without any temporal limitation, and therefore is not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefit. Fox News further objects to this Request as vague and ambiguous as it is unclear what is meant by "actual or proposed book deal[.]" Fox News states that it is not producing documents within the scope of the objections.

**REQUEST NO. 106:** Produce all documents, communications and/or ESI related to any changes to Henry’s compensation with Fox, including, but not limited to, bonuses, stock awards and/or incentive compensation.

**RESPONSE TO REQUEST NO. 106:**

Fox News objects to this Request on the ground that it seeks irrelevant information as any bonuses, stock awards and/or incentive compensation part of Henry’s compensation at Fox News are irrelevant to the claims and defenses in this matter. Subject to and without waiving the foregoing objections, Fox News incorporates by reference their Response and Objection to Request Numbers 70, 71, 102 and 104.

**REQUEST NO. 107:** Produce all documents, communications and/or ESI related to any payments made by Fox to any individual on Henry’s behalf, including, but not limited to, the reasons for the payments, the dates of the payments and the recipient of the payment.

**RESPONSE TO REQUEST NO. 107:**

Fox News objects to this Request on the ground that this Request is so vague and overbroad as to prevent identification of the documents requested, specifically in that it seeks “all documents, emails and/or communications” related to “any payments” without any temporal limitation or limitation to documents relevant to Plaintiff or the claims or defenses in this matter, and the Request is therefore not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefits. Fox News further objects to this Request as vague and ambiguous as it is unclear what is meant by “payments made by Fox...on Henry’s behalf[.]” Subject to and without waiving the foregoing objections, Fox News will conduct a reasonable electronic search for relevant, non-privileged electronic documents related to that topic upon an agreement between the parties of an appropriate electronic search protocol including, without limitation, an agreement as to the appropriate custodians, time frames, and search terms.

**REQUEST NO. 108:** Produce all documents, communications and/or ESI related to any revenues generated by Henry, directly or indirectly, for Fox.

**RESPONSE TO REQUEST NO. 108:**

Fox News objects to this Request on the ground that this Request is so vague and overbroad as to prevent identification of the documents requested, specifically in that it seeks “all documents, emails and/or communications” related to “any revenues” without any temporal limitation or limitation to documents relevant to Plaintiff or the claims or defenses in this matter, and the Request is therefore not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefits. Fox News further objects to this Request as vague and ambiguous as it is unclear what is meant by payments made by “revenues generated” and “directly or indirectly[.]” Fox News states that it is not producing documents within the scope of the objections.

**REQUEST NO. 109:** Produce all documents, communications and/or ESI between Henry and any current and/or former female employee, representative or intern at Fox.

**RESPONSE TO REQUEST NO. 109:**

Fox News objects to this Request on the ground that this Request is so vague and overbroad as to prevent identification of the documents requested, specifically in that it seeks “all documents, emails and/or communications,” without any temporal limitation or limitation to documents relevant to Plaintiff or the claims or defenses in this matter and the Request is therefore not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefits. Fox News further objects to this Request on the grounds that it is vague and ambiguous as to the term “representative.” Fox News objects to this Request on the ground that it seeks irrelevant information as to communications with “any current and/or former female employee, representative or intern at Fox.” Fox News further objects to this

Request to the extent it seeks documents that are not within Fox News' possession, custody or control. Additionally, Fox News objects to this Request to the extent it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, and/or any other applicable privilege or immunity. Subject to and without waiving the foregoing objections, Fox News will conduct a reasonable search and produce relevant communications between Plaintiff and Henry that it has within its possession, custody or control.

**REQUEST NO. 110:** Produce all documents, communications and/or ESI concerning any complaints, formal or informal, of harassment, discrimination, misconduct, sexual batteries, abuse and/or assaults, or ill treatment made by Brooke Hammerling.

**RESPONSE TO REQUEST NO. 110:**

Fox News objects to this Request as vague and ambiguous as it is unclear what is meant by "any complaints," "formal or information" or "misconduct[.]" "ill treatment[.]" and "made by[.]" Fox News objects to this Request on the ground that this Request is overbroad and seeks irrelevant information, specifically in that it seeks "all documents, communications and/or ESI" "sent, received or created" concerning "any complaints" by Brooke Hammerling concerning the topics identified in the Request without a relevant temporal limitation or limitation to documents related to Plaintiff or the claims or defenses in this matter, and the Request is therefore not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefits. Fox News further objects to this Request on grounds to the extent it seeks to use legal terms of art (i.e., "sexual batteries, abuse and/or assaults") that are vague and undefined. Additionally, Fox News objects to this Request to the extent it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, and/or any other applicable privilege or immunity. Fox News further objects to this Request on the grounds it seeks confidential, sensitive and personal information disclosure of which would invade the

privacy rights of individuals who are not parties to this action. Fox News states that it is not producing documents within the scope of the objections.

**REQUEST NO. 111:** Produce all documents, communications and/or ESI concerning any complaints, formal or informal, of harassment, discrimination, misconduct, sexual batteries, abuse and/or assaults, or ill treatment made by Roxie Marroquin.

**RESPONSE TO REQUEST NO. 111:**

Fox News objects to this Request as vague and ambiguous as it is unclear what is meant by “any complaints,” “formal or information” or “misconduct[,]” “ill treatment[,]” and “made by[.]” Fox News objects to this Request on the ground that this Request is overbroad and seeks irrelevant information, specifically in that it seeks “all documents, communications and/or ESI” “sent, received or created” concerning “any complaints” by Roxie Marroquin concerning the topics identified in the Request without a relevant temporal limitation or limitation to documents related to Plaintiff or the claims or defenses in this matter, and the Request is therefore not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefits. Fox News further objects to this Request on grounds to the extent it seeks to use legal terms of art (i.e., “sexual batteries, abuse and/or assaults”) that are vague and undefined. Additionally, Fox News objects to this Request to the extent it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, and/or any other applicable privilege or immunity. Fox News further objects to this Request on the grounds it seeks confidential, sensitive and personal information disclosure of which would invade the privacy rights of individuals who are not parties to this action. Fox News states that it is not producing documents within the scope of the objections.

**REQUEST NO. 112:** Produce all documents, communications and/or ESI concerning any complaints, formal or informal, of harassment, discrimination, misconduct, sexual batteries, abuse and/or assaults, or ill treatment made by Cathy Areu.

**RESPONSE TO REQUEST NO. 112:**

Fox News objects to this Request as vague and ambiguous as it is unclear what is meant by “any complaints,” “formal or informal” or “misconduct[,]” “ill treatment[,]” and “made by[.]” Fox News objects to this Request on the ground that this Request is overbroad and seeks irrelevant information, specifically in that it seeks “all documents, communications and/or ESI” “sent, received or created” concerning “any complaints” by Cathy Areu concerning the topics identified in the Request without a relevant temporal limitation or limitation to documents related to Plaintiff or the claims or defenses in this matter, and the Request is therefore not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefits. Fox News further objects to this Request on grounds to the extent it seeks to use legal terms of art (i.e., “sexual batteries, abuse and/or assaults”) that are vague and undefined. Additionally, Fox News objects to this Request to the extent it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, and/or any other applicable privilege or immunity. Fox News states that it is not producing documents within the scope of the objections.

**REQUEST NO. 113:** Produce all documents, communications and/or ESI concerning any complaints, formal or informal, of harassment, discrimination, misconduct, sexual batteries, abuse and/or assaults, or ill treatment made by Lauren Peikoff.

**RESPONSE TO REQUEST NO. 113:**

Fox News objects to this Request as vague and ambiguous as it is unclear what is meant by “any complaints,” “formal or informal” or “misconduct[,]” “ill treatment[,]” and “made by[.]” Fox News objects to this Request on the ground that this Request is overbroad and seeks irrelevant information, specifically in that it seeks “all documents, communications and/or ESI” “sent, received or created” concerning “any complaints” by Lauren Peikoff concerning the topics

identified in the Request without a relevant temporal limitation or limitation to documents related to Plaintiff or the claims or defenses in this matter, particularly as Lauren Peikoff is never mentioned in the Third Amended Complaint, and the Request is therefore not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely benefits. Fox News further objects to this Request on grounds to the extent it seeks to use legal terms of art (i.e., “sexual batteries, abuse and/or assaults”) that are vague and undefined. Additionally, Fox News objects to this Request to the extent it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, and/or any other applicable privilege or immunity. Fox News further objects to this Request on the grounds it seeks confidential, sensitive and personal information disclosure of which would invade the privacy rights of employees or former employees at Fox News who are not parties to this action. Fox News states that it is not producing documents within the scope of the objections.

**REQUEST NO. 114:** Produce all documents, communications and/or ESI concerning any complaints, formal or informal, of harassment, discrimination, misconduct, sexual batteries, abuse and/or assaults, or ill treatment made by Hufsa Kamal.

**RESPONSE TO REQUEST NO. 114:**

Fox News objects to this Request as vague and ambiguous as it is unclear what is meant by “any complaints,” “formal or information” or “misconduct[,]” “ill treatment[,]” and “made by[.]” Fox News objects to this Request on the ground that this Request is overbroad and seeks irrelevant information, specifically in that it seeks “all documents, communications and/or ESI” “sent, received or created” concerning “any complaints” by Hufsa Kamal concerning the topics identified in the Request without a relevant temporal limitation or limitation to documents related to Plaintiff or the claims or defenses in this matter, particularly as Hufsa Kamal is never mentioned in the Third Amended Complaint, and the Request is therefore not proportional to the needs of the case and the burden or expense of the proposed discovery outweighs the likely



benefits. Fox News further objects to this Request on grounds to the extent it seeks to use legal terms of art (i.e., “sexual batteries, abuse and/or assaults”) that are vague and undefined.

Additionally, Fox News objects to this Request to the extent it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, and/or any other applicable privilege or immunity. Fox News further objects to this Request on the grounds it seeks confidential, sensitive and personal information disclosure of which would invade the privacy rights of employees or former employees at Fox News who are not parties to this action. Fox News states that it is not producing documents within the scope of the objections.

Dated: November 15, 2021  
New York, New York

Respectfully submitted,

PROSKAUER ROSE LLP

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